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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 131021878-4158-02]

RIN 0648-XC927

Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; 2014 and 2015 Harvest Specifications for Groundfish

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule; specifications and closures.

SUMMARY: NMFS announces final 2014 and 2015 harvest specifications, prohibited species catch allowances, and closures for the groundfish fishery of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to establish harvest limits for groundfish during the 2014 and 2015 fishing years, and to accomplish the goals and objectives of the Fishery Management Plan for Groundfish of the BSAI (FMP). The intended effect of this action is to conserve and manage the groundfish resources in the BSAI in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: Specifications and closures are effective from 1200 hrs, Alaska local time (A.l.t.), [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER], through 2400 hrs, A.l.t., December 31, 2015.

ADDRESSES: Electronic copies of the Alaska Groundfish Harvest Specifications Final Environmental Impact Statement (EIS), Record of Decision (ROD), Supplementary Information

Report (SIR) to the EIS, and the Final Regulatory Flexibility Analysis (FRFA) prepared for this action are available from <http://alaskafisheries.noaa.gov>. The final 2013 Stock Assessment and Fishery Evaluation (SAFE) report for the groundfish resources of the BSAI, dated November 2013, as well as the SAFE reports for previous years, are available from the North Pacific Fishery Management Council (Council) at 605 West 4th Avenue, Suite 306, Anchorage, AK, 99510-2252, (phone) 907-271-2809, or from the Council's Website at <http://www.npfmc.org/>.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907-586-7228.

SUPPLEMENTARY INFORMATION: Federal regulations at 50 CFR part 679 implement the FMP and govern the groundfish fisheries in the BSAI. The Council prepared the FMP, and NMFS approved it under the Magnuson-Stevens Act. General regulations governing U.S. fisheries also appear at 50 CFR part 600.

The FMP and its implementing regulations require NMFS, after consultation with the Council, to specify the total allowable catch (TAC) for each target species category. The sum TAC for all groundfish species must be within the optimum yield (OY) range of 1.4 million to 2.0 million metric tons (mt) (see § 679.20(a)(1)(i)). This final rule specifies the TAC at 2.0 million mt for both 2014 and 2015. NMFS also must specify apportionments of TAC, prohibited species catch (PSC) allowances, and prohibited species quota (PSQ) reserves established by § 679.21; seasonal allowances of pollock, Pacific cod, and Atka mackerel TAC; Amendment 80 allocations; and Community Development Quota (CDQ) reserve amounts established by § 679.20(b)(1)(ii). The final harvest specifications set forth in Tables 1 through 22 of this action satisfy these requirements.

Section 679.20(c)(3)(i) further requires NMFS to consider public comment on the proposed annual TACs (and apportionments thereof) and PSC allowances, and to publish final

harvest specifications in the Federal Register. The proposed 2014 and 2015 harvest specifications and PSC allowances for the groundfish fishery of the BSAI were published in the Federal Register on December 10, 2013 (78 FR 74063). Comments were invited and accepted through January 9, 2014. NMFS received one letter with one comment on the proposed harvest specifications. This comment is summarized and responded to in the “Response to Comments” section of this rule. NMFS consulted with the Council on the final 2014 and 2015 harvest specifications during the December 2013 Council meeting in Anchorage, AK. After considering public comments, as well as biological and economic data that were available at the Council’s December meeting, NMFS is implementing the final 2014 and 2015 harvest specifications as recommended by the Council.

#### Acceptable Biological Catch (ABC) and TAC Harvest Specifications

The final ABC levels for Alaska groundfish are based on the best available biological and socioeconomic information, including projected biomass trends, information on assumed distribution of stock biomass, and revised technical methods used to calculate stock biomass. In general, the development of ABCs and overfishing levels (OFLs) involves sophisticated statistical analyses of fish populations. The FMP specifies a series of six tiers to define OFL and ABC amounts based on the level of reliable information available to fishery scientists. Tier 1 represents the highest level of information quality available while Tier 6 represents the lowest.

In December 2013, the Scientific and Statistical Committee (SSC), Advisory Panel (AP), and Council reviewed current biological and harvest information about the condition of the BSAI groundfish stocks. The Council’s Plan Team compiled and presented this information in the final 2013 SAFE report for the BSAI groundfish fisheries, dated November 2013 (see ADDRESSES). The SAFE report contains a review of the latest scientific analyses and

estimates of each species' biomass and other biological parameters, as well as summaries of the available information on the BSAI ecosystem and the economic condition of groundfish fisheries off Alaska. NMFS notified the public and asked for review of the SAFE report in the notice of proposed harvest specifications. From these data and analyses, the Plan Team recommended an OFL and ABC for each species or species category at the November 2013 Plan Team meeting.

In December 2013, the SSC, AP, and Council reviewed the Plan Team's recommendations. The final TAC recommendations were based on the ABCs as adjusted for other biological and socioeconomic considerations, including maintaining the sum of the TACs within the required OY range of 1.4 million to 2.0 million mt. As required by annual catch limit rules for all fisheries (74 FR 3178, January 16, 2009), none of the Council's recommended TACs for 2014 or 2015 exceeds the final 2014 or 2015 ABCs for any species category. The final 2014 and 2015 harvest specifications approved by the Secretary of Commerce are unchanged from those recommended by the Council and are consistent with the preferred harvest strategy alternative in the EIS (see ADDRESSES). NMFS finds that the Council's recommended OFLs, ABCs, and TACs are consistent with the biological condition of groundfish stocks as described in the 2013 SAFE report that was approved by the Council.

#### Other Actions Potentially Affecting the 2014 and 2015 Harvest Specifications

The Council has recommended Amendment 105 to the FMP, and NMFS is currently developing the proposed rule for this action. This action could create ABC reserves for CDQ groups and Amendment 80 cooperatives for flathead sole, rock sole, and yellowfin sole for 2015. These entities would be able to exchange their quota share of one of the three species (flathead sole, rock sole, and/or yellowfin sole) for an equivalent amount of their allocation of the ABC reserves for another species (flathead sole, rock sole, and/or yellowfin sole). The approach is

intended to increase the opportunity for maximizing the harvest of these species, while ensuring that the overall 2 million mt OY, and ABCs for each individual species, are not exceeded. If the action is approved by the Secretary and implemented for 2015, then the harvest specifications will include CDQ and Amendment 80 allocations of the ABC reserves for these species.

For 2014, the Board of Fisheries (BOF) for the State of Alaska (State) established a Pacific cod guideline harvest level (GHL) in State waters between 164 and 167 degrees west longitude in the Bering Sea (BS) subarea. The Pacific cod GHL in this area is equal to 3 percent of the sum of the Pacific cod ABCs for the Aleutian Islands (AI) and the BS. To account for the State GHL fishery in 2014 and 2015, the Council reduced the final BS subarea TAC by three percent of the combined BS and AI subarea ABCs. The combined BS subarea TAC and GHL (255,000 mt) equal the final BS subarea ABC.

For 2014, the BOF for the State established a Pacific cod GHL in State waters in the AI subarea. The Pacific cod GHL in this area is equal to 3 percent of the sum of the Pacific cod ABCs for the AI and the BS. To account for the State GHL fishery in 2014 and 2015, the Council reduced the final AI subarea TAC by 3 percent of the combined BS and AI subarea ABCs. The combined AI TAC and GHL (15,100 mt) equal the final AI subarea ABC.

#### Changes from the Proposed 2014 and 2015 Harvest Specifications for the BSAI

In October 2013, the Council proposed its recommendations for the 2014 and 2015 harvest specifications (78 FR 74063, December 10, 2013), based largely on information contained in the 2012 SAFE report for the BSAI groundfish fisheries. Through the proposed harvest specifications, NMFS notified the public that these harvest specifications could change, as the Council would consider information contained in the final 2013 SAFE report, recommendations from the Plan Team, SSC, and AP committees, and public testimony when

making its recommendations for final harvest specifications at the December Council meeting. NMFS further notified the public that, as required by the FMP and its implementing regulations, the sum of the TACs must be within the OY range of 1.4 million and 2.0 million mt.

Information contained in the 2013 SAFE reports indicates biomass changes for several groundfish species from the 2012 SAFE reports. At the December 2013 Council meeting, the SSC recommended the 2014 and 2015 ABCs for many species based on the best and most recent information contained in the 2013 SAFE reports. This recommendation resulted in an ABC sum total for all BSAI groundfish species in excess of 2 million mt for both 2014 and 2015. Based on the SSC ABC recommendations and the 2013 SAFE reports, the Council recommends increasing Bering Sea pollock by 14,500 mt. In terms of percentage, the largest increases in TACs were for Eastern Aleutian district and Bering Sea (EAI/BS) Atka mackerel and Central Aleutian district (CAI) Atka mackerel. Both of these fisheries are valuable and likely to be harvested to the full TAC available. The Council increased these TACs due to increased biomass estimates and because the TACs were fully harvested in 2013. Conversely, the largest decrease in TAC in terms of tonnage is 16,000 mt for yellowfin sole. In terms of percentage change from the proposed TACs, Bogoslof pollock, rock sole, “other flatfish,” northern rockfish, shorttraker rockfish, Western Aleutian district (WAI) Atka mackerel, sharks, squids, and octopuses had the largest decreases in TAC. The Council decreased TACs for these species due to decreased biomass estimates, and because they were not fully harvested in 2013. The changes to TAC between the proposed and final harvest specifications are based on the most recent scientific and economic information and are consistent with the FMP, regulatory obligations, and harvest strategy as described in the proposed harvest specifications. These changes are compared in Table 1A.

Table 1 lists the Council's recommended final 2014 and 2015 OFL, ABC, TAC, initial TAC (ITAC), and CDQ reserve amounts of the BSAI groundfish. NMFS concurs in these recommendations. The final 2014 and 2015 TAC recommendations for the BSAI are within the OY range established for the BSAI and do not exceed the ABC for any species or species group. The apportionment of TAC amounts among fisheries and seasons is discussed below.

TABLE 1—FINAL 2014 AND 2015 OVERFISHING LEVEL (OFL), ACCEPTABLE BIOLOGICAL CATCH (ABC), TOTAL ALLOWABLE CATCH (TAC), INITIAL TAC (ITAC), AND CDQ RESERVE ALLOCATION OF GROUNDFISH IN THE BSAI<sup>1</sup>

[Amounts are in metric tons]

Species	Area	2014					2015				
		OFL	ABC	TAC	ITAC <sup>2</sup>	CDQ <sup>3</sup>	OFL	ABC	TAC	ITAC <sup>2</sup>	CDQ <sup>3</sup>
Pollock <sup>4</sup>	BS	2,795,000	1,369,000	1,267,000	1,140,300	126,700	2,693,000	1,258,000	1,258,000	1,132,200	125,800
	AI	42,811	35,048	19,000	17,100	1,900	47,713	39,412	19,000	17,100	1,900
	Bogoslof	13,413	10,059	75	75	0	13,413	10,059	75	75	0
Pacific cod <sup>5</sup>	BS	299,000	255,000	246,897	220,479	26,418	319,000	272,000	251,712	224,779	26,933
	AI	20,100	15,100	6,997	6,248	749	20,100	15,100	6,487	5,793	694
Sablefish	BS	1,584	1,339	1,339	1,105	184	1,432	1,210	1,210	514	45
	AI	2,141	1,811	1,811	1,471	306	1,936	1,636	1,636	348	31
Yellowfin sole	BSAI	259,700	239,800	184,000	164,312	19,688	268,900	248,300	187,000	166,991	20,009
Greenland turbot	BSAI	2,647	2,124	2,124	1,805	n/a	3,864	3,173	3,173	2,697	n/a
	BS	n/a	1,659	1,659	1,410	178	n/a	2,478	2,478	2,106	265
	AI	n/a	465	465	395	0	n/a	695	695	591	0
Arrowtooth flounder	BSAI	125,642	106,599	25,000	21,250	2,675	125,025	106,089	25,000	21,250	2,675
Kamchatka flounder	BSAI	8,270	7,100	7,100	6,035	0	8,500	7,300	7,300	6,205	0
Rock sole	BSAI	228,700	203,800	85,000	75,905	9,095	213,310	190,100	85,000	75,905	9,095
Flathead sole <sup>6</sup>	BSAI	79,633	66,293	24,500	21,879	2,622	77,023	64,127	25,129	22,440	2,689
Alaska plaice	BSAI	66,800	55,100	24,500	20,825	0	66,300	54,700	25,000	21,250	0
Other flatfish <sup>7</sup>	BSAI	16,700	12,400	2,650	2,253	0	16,700	12,400	3,000	2,550	0
Pacific ocean perch	BSAI	39,585	33,122	33,122	29,248	n/a	37,817	31,641	31,641	27,940	n/a
	BS	n/a	7,684	7,684	6,531	0	n/a	7,340	7,340	6,239	0
	EAI	n/a	9,246	9,246	8,257	989	n/a	8,833	8,833	7,888	945
	CAI	n/a	6,594	6,594	5,888	706	n/a	6,299	6,299	5,625	674
	WAI	n/a	9,598	9,598	8,571	1,027	n/a	9,169	9,169	8,188	981
Northern rockfish	BSAI	12,077	9,761	2,594	2,205	0	11,943	9,652	3,000	2,550	0
Rougheye rockfish <sup>8</sup>	BSAI	505	416	416	354	0	580	478	478	406	0
	EBS/EAI	n/a	177	177	150	0	n/a	201	201	171	0
	CAI/WAI	n/a	239	239	203	0	n/a	277	277	235	0
Shortraker rockfish	BSAI	493	370	370	315	0	493	370	370	315	0
Other rockfish <sup>9</sup>	BSAI	1,550	1,163	773	657	0	1,550	1,163	873	742	0
	BS	n/a	690	300	255	0	n/a	690	400	340	0
	AI	n/a	473	473	402	0	n/a	473	473	402	0
Atka mackerel	BSAI	74,492	64,131	32,322	27,971	3,458	74,898	64,477	32,491	29,014	3,477
	EAI/BS	n/a	21,652	21,652	19,335	2,317	n/a	21,769	21,769	19,440	2,329
	CAI	n/a	20,574	9,670	8,635	1,035	n/a	20,685	9,722	8,682	1,040
	WAI	n/a	21,905	1,000	893	107	n/a	22,023	1,000	893	107
Skates	BSAI	41,849	35,383	26,000	22,100	0	39,746	33,545	26,000	22,100	0
Sculpins	BSAI	56,424	42,318	5,750	4,888	0	56,424	42,318	5,750	4,888	0
Sharks	BSAI	1,363	1,022	125	106	0	1,363	1,022	125	106	0
Squids	BSAI	2,624	1,970	310	264	0	2,624	1,970	325	276	0
Octopuses	BSAI	3,450	2,590	225	191	0	3,450	2,590	225	191	0
TOTAL		4,196,553	2,572,819	2,000,000	1,789,338	196,694	4,107,104	2,472,832	2,000,000	1,788,625	196,213



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<sup>1</sup> These amounts apply to the entire BSAI management area unless otherwise specified. With the exception of pollock, and for the purpose of these harvest specifications, the Bering Sea (BS) subarea includes the Bogoslof District.

<sup>2</sup> Except for pollock, the portion of the sablefish TAC allocated to hook-and-line and pot gear, and Amendment 80 species, 15 percent of each TAC is put into a reserve. The ITAC for these species is the remainder of the TAC after the subtraction of these reserves. For pollock and Amendment 80 species, ITAC is the non-CDQ allocation of TAC (see footnotes 3 and 5).

<sup>3</sup> For the Amendment 80 species (Atka mackerel, flathead sole, rock sole, yellowfin sole, Pacific cod, and Aleutian Islands Pacific ocean perch), 10.7 percent of the TAC is reserved for use by CDQ participants (see §§ 679.20(b)(1)(ii)(C) and 679.31). Twenty percent of the sablefish TAC allocated to hook-and-line gear or pot gear, 7.5 percent of the sablefish TAC allocated to trawl gear, and 10.7 percent of the TACs for Bering Sea Greenland turbot and arrowtooth flounder are reserved for use by CDQ participants (see § 679.20(b)(1)(ii)(B) and (D)). Aleutian Islands Greenland turbot, “other flatfish,” Alaska plaice, Bering Sea Pacific ocean perch, northern rockfish, shortraker rockfish, rougheye rockfish, “other rockfish,” skates, sculpins, sharks, squids, and octopuses are not allocated to the CDQ program.

<sup>4</sup> Under § 679.20(a)(5)(i)(A)(1), the annual BS subarea pollock TAC after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance (3.4 percent), is further allocated by sector for a pollock directed fishery as follows: inshore - 50 percent; catcher/processor - 40 percent; and motherships - 10 percent. Under § 679.20(a)(5)(iii)(B)(2)(i) and (ii), the annual Aleutian Islands subarea pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second for the incidental catch allowance (2,000 mt) is allocated to the Aleut Corporation for a pollock directed fishery.

<sup>5</sup> The BS Pacific cod TAC is reduced by 3 percent from the combined BSAI ABC to account for the State of Alaska’s (State) guideline harvest level in State waters of the Bering Sea subarea. The AI Pacific cod TAC is reduced by 3 percent from the combined BSAI ABC to account for the State guideline harvest level in State waters of the Aleutian Islands subarea.

<sup>6</sup> “Flathead sole” includes Hippoglossoides elassodon (flathead sole) and Hippoglossoides robustus (Bering flounder).

<sup>7</sup> “Other flatfish” includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, arrowtooth flounder, Kamchatka flounder, and Alaska plaice.

<sup>8</sup> “Rougheye rockfish” includes Sebastes aleutianus (rougheye) and Sebastes melanostictus (blackspotted).

<sup>9</sup> “Other rockfish” includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern rockfish, dark rockfish, shortraker rockfish, and rougheye rockfish.

Note: Regulatory areas and districts are defined at § 679.2 (BS=Bering Sea subarea, AI=Aleutian Islands subarea, EAI=Eastern Aleutian district, CAI=Central Aleutian district, WAI=Western Aleutian district.)

TABLE 1A – COMPARISON OF FINAL 2014 AND 2015 WITH PROPOSED 2014 AND 2015 TOTAL ALLOWABLE CATCH IN THE BSAI

[Amounts are in metric tons]

Species	Area <sup>1</sup>	2014 final TAC	2014 proposed TAC	2014 difference from proposed	2015 final TAC	2015 proposed TAC	2015 difference from proposed
Pollock	BS	1,267,000	1,252,500	14,500	1,258,000	1,252,500	5,500
	AI	19,000	19,000	0	19,000	19,000	0
	Bogoslof	75	100	-25	75	100	-25
Pacific cod	BS	246,897	245,000	1,897	251,712	245,000	6,712
	AI	6,997	7,381	-384	6,487	7,381	-894
Sablefish	BS	1,339	1,480	-141	1,210	1,480	-270
	AI	1,811	2,010	-199	1,636	2,010	-374
Yellowfin sole	BSAI	184,000	200,000	-16,000	187,000	200,000	-13,000
Greenland turbot	BS	1,659	1,610	49	2,478	1,610	868
	AI	465	450	15	695	450	245
Arrowtooth flounder	BSAI	25,000	25,000	0	25,000	25,000	0
Kamchatka flounder	BSAI	7,100	7,100	0	7,300	7,100	200
Rock sole	BSAI	85,000	94,569	-9,569	85,000	94,569	-9,569
Flathead sole	BSAI	24,500	22,699	1,801	25,129	22,699	2,430
Alaska plaice	BSAI	24,500	23,700	800	25,000	23,700	1,300
Other flatfish	BSAI	2,650	3,500	-850	3,000	3,500	-500
Pacific ocean perch	BS	7,684	7,680	4	7,340	7,680	-340
	EAI	9,246	9,240	6	8,833	9,240	-407
	CAI	6,594	6,590	4	6,299	6,590	-291
	WAI	9,598	9,590	8	9,169	9,590	-421
Northern rockfish	BSAI	2,594	3,000	-406	3,000	3,000	0
Rougheye rockfish	BS/EAI	177	189	-12	201	189	12
	CAI/WAI	239	240	-1	277	240	37
Shortraker rockfish	BSAI	370	370	0	370	370	0
Other rockfish	BS	300	400	-100	400	400	0
	AI	473	473	0	473	473	0
Atka mackerel	EAI/BS	21,652	16,500	5,152	21,769	16,500	5,269
	CAI	9,670	7,379	2,291	9,722	7,379	2,343
	WAI	1,000	1,500	-500	1,000	1,500	-500
Skates	BSAI	26,000	24,000	2,000	26,000	24,000	2,000
Sculpins	BSAI	5,750	5,600	150	5,750	5,600	150
Sharks	BSAI	125	150	-25	125	150	-25
Squid	BSAI	310	500	-190	325	500	-175
Octopuses	BSAI	225	500	-275	225	500	-275
TOTAL	BSAI	2,000,000	2,000,000	0	2,000,000	2,000,000	0

<sup>1</sup>Bering Sea subarea (BS), Aleutian Islands subarea (AI), Bering Sea and Aleutian Islands management area (BSAI), Eastern Aleutian District (EAI), Central Aleutian District (CAI), and Western Aleutian District (WAI).

Groundfish Reserves and the Incidental Catch Allowance (ICA) for Pollock, Atka Mackerel, Flathead Sole, Rock Sole, Yellowfin Sole, and Aleutian Islands Pacific Ocean Perch

Section 679.20(b)(1)(i) requires NMFS to reserve 15 percent of the TAC for each target species, except for pollock, hook-and-line and pot gear allocation of sablefish, and Amendment 80 species, in a non-specified reserve. Section 679.20(b)(1)(ii)(B) requires that NMFS allocate 20 percent of the hook-and-line and pot gear allocation of sablefish for the fixed-gear sablefish CDQ reserve. Section 679.20(b)(1)(ii)(D) requires that NMFS allocate 7.5 percent of the trawl gear allocations of sablefish and 10.7 percent of the Bering Sea Greenland turbot and arrowtooth flounder TACs to the respective CDQ reserves. Section 679.20(b)(1)(ii)(C) requires that NMFS allocate 10.7 percent of the TAC for Atka mackerel, Aleutian Islands Pacific ocean perch, yellowfin sole, rock sole, flathead sole, and Pacific cod to the CDQ reserves. Sections 679.20(a)(5)(i)(A) and 679.31(a) also require that 10 percent of the BSAI pollock TACs be allocated to the pollock CDQ directed fishing allowance (DFA). The entire Bogoslof District pollock TAC is allocated as an ICA (see § 679.20(a)(5)(ii)). With the exception of the hook-and-line and pot gear sablefish CDQ reserve, the regulations do not further apportion the CDQ allocations by gear.

Pursuant to § 679.20(a)(5)(i)(A)(1), NMFS allocates a pollock ICA of 3.4 percent of the BS subarea pollock TAC after subtracting the 10 percent CDQ reserve. This allowance is based on NMFS' examination of the pollock incidental catch, including the incidental catch by CDQ vessels, in target fisheries other than pollock from 1999 through 2013. During this 15-year period, the pollock incidental catch ranged from a low of 2.3 percent in 2012 to a high of 5 percent in 1999, with a 15-year average of 3.2 percent. Pursuant to § 679.20(a)(5)(iii)(B)(2)(i) and (ii), NMFS establishes a pollock ICA of 2,000 mt of the AI subarea TAC after subtracting

the 10-percent CDQ DFA. This allowance is based on NMFS' examination of the pollock incidental catch, including the incidental catch by CDQ vessels, in target fisheries other than pollock from 2003 through 2013. During this 11-year period, the incidental catch of pollock ranged from a low of 5 percent in 2006 to a high of 17 percent in 2013, with an 11-year average of 8 percent.

Pursuant to § 679.20(a)(8) and (10), NMFS allocates ICAs of 5,000 mt of flathead sole, 8,000 mt of rock sole, 2,400 mt of yellowfin sole, 10 mt of WAI Pacific ocean perch, 75 mt of CAI Pacific ocean perch, 200 mt of EAI Pacific ocean perch, 40 mt of WAI Atka mackerel, 75 mt of CAI Atka mackerel, and 1,000 mt of EAI and BS subarea Atka mackerel TAC after subtracting the 10.7 percent CDQ reserve. These ICA allowances are based on NMFS' examination of the incidental catch in other target fisheries from 2003 through 2013.

The regulations do not designate the remainder of the non-specified reserve by species or species group. Any amount of the reserve may be apportioned to a target species category that contributed to the non-specified reserves during the year, provided that such apportionments do not result in overfishing (see § 679.20(b)(1)(i)). The Regional Administrator has determined that the ITACs specified for the species listed in Table 1 need to be supplemented from the non-specified reserve because U.S. fishing vessels have demonstrated the capacity to catch the full TAC allocations. Therefore, in accordance with § 679.20(b)(3), NMFS is apportioning the amounts shown in Table 2 from the non-specified reserve to increase the ITAC for shortraker rockfish, rougheye rockfish, "other rockfish," sharks, and octopuses by 15 percent of the TAC in 2014 and 2015.

TABLE 2—FINAL 2014 AND 2015 APPORTIONMENT OF RESERVES TO ITAC CATEGORIES

[Amounts are in metric tons]

Species-area or subarea	2014 ITAC	2014 reserve amount	2014 final ITAC	2015 ITAC	2015 reserve amount	2015 final ITAC
Shortraker rockfish-BSAI	315	56	370	315	56	370
Rougheye rockfish-EBS/EAI	150	27	177	171	30	201
Rougheye rockfish-CAI/WAI	203	36	239	235	42	277
Other rockfish-Bering Sea subarea	255	45	300	340	60	400
Other rockfish-Aleutian Islands subarea	402	71	473	402	71	473
Sharks	106	19	125	106	19	125
Octopuses	191	34	225	191	34	225
Total	1,623	286	1,909	1,760	311	2,071

### Allocation of Pollock TAC under the American Fisheries Act (AFA)

Section 679.20(a)(5)(i)(A) requires that the BS subarea pollock TAC be apportioned, after subtracting 10 percent for the CDQ program and 3.4 percent for the ICA, as a DFA as follows: 50 percent to the inshore sector, 40 percent to the catcher/processor (C/P) sector, and 10 percent to the mothership sector. In the BS subarea, 40 percent of the DFA is allocated to the A season (January 20–June 10), and 60 percent of the DFA is allocated to the B season (June 10–November 1) (§ 679.20(a)(5)(i)(A)). The AI-directed pollock fishery allocation to the Aleut Corporation is the amount of pollock remaining in the AI subarea after subtracting 1,900 mt for the CDQ DFA (10 percent) and 2,000 mt for the ICA (§ 679.20(a)(5)(iii)(B)(2)(ii)). In the AI subarea, the total A season apportionment of the TAC is less than or equal to 40 percent of the ABC and the remainder of the TAC is allocated to the B season. Table 3 lists these 2014 and 2015 amounts.

Section 679.20(a)(5)(i)(A)(4) also includes several specific requirements regarding BS subarea pollock allocations. First, it requires that 8.5 percent of the pollock allocated to the C/P sector be available for harvest by AFA catcher vessels (CVs) with C/P sector endorsements, unless the Regional Administrator receives a cooperative contract that allows the distribution of

harvest among AFA C/Ps and AFA CVs in a manner agreed to by all members. Second, AFA C/Ps not listed in the AFA are limited to harvesting not more than 0.5 percent of the pollock allocated to the C/P sector. Table 3 lists the 2014 and 2015 allocations of pollock TAC. Tables 17 through 22 list the AFA C/P and CV harvesting sideboard limits. The tables for the pollock allocations to the BS subarea inshore pollock cooperatives and open access sector will be posted on the Alaska Region Website at <http://alaskafisheries.noaa.gov>.

Table 3 also lists seasonal apportionments of pollock and harvest limits within the Steller Sea Lion Conservation Area (SCA). The harvest within the SCA, as defined at § 679.22(a)(7)(vii), is limited to no more than 28 percent of the annual DFA before 12:00 noon, April 1, as provided in § 679.20(a)(5)(i)(C). The A season pollock SCA harvest limit will be apportioned to each sector in proportion to each sector's allocated percentage of the DFA. Table 3 lists these 2014 and 2015 amounts by sector.

TABLE 3—FINAL 2014 AND 2015 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ DIRECTED FISHING ALLOWANCES (DFA)<sup>1</sup>

[Amounts are in metric tons]

Area and sector	2014 Allocations	2014 A season <sup>1</sup>		2014 B season <sup>1</sup>	2015 Allocations	2015 A season <sup>1</sup>		2015 B season <sup>1</sup>
		A season DFA	SCA harvest limit <sup>2</sup>	B season DFA		A season DFA	SCA harvest limit <sup>2</sup>	B season DFA
Bering Sea subarea	1,267,000	n/a	n/a	n/a	1,258,000	n/a	n/a	n/a
CDQ DFA	126,700	50,680	35,476	76,020	125,800	50,320	35,224	75,480
ICA <sup>1</sup>	38,770	n/a	n/a	n/a	38,495	n/a	n/a	n/a
AFA Inshore	550,765	220,306	154,214	330,459	546,853	218,741	153,119	328,112
AFA Catcher/Processors <sup>3</sup>	440,612	176,245	123,371	264,367	437,482	174,993	122,495	262,489
Catch by C/Ps	403,160	161,264	n/a	241,896	400,296	160,118	n/a	240,178
Catch by CVs <sup>3</sup>	37,452	14,981	n/a	22,471	37,186	14,874	n/a	22,312
Unlisted C/P Limit <sup>4</sup>	2,203	881	n/a	1,322	2,187	875	n/a	1,312
AFA Motherships	110,153	44,061	30,843	66,092	109,371	43,748	30,624	65,622
Excessive Harvesting Limit <sup>5</sup>	192,768	n/a	n/a	n/a	191,398	n/a	n/a	n/a
Excessive Processing Limit <sup>6</sup>	330,459	n/a	n/a	n/a	328,112	n/a	n/a	n/a
Total Bering Sea DFA	1,101,530	440,612	308,428	660,918	1,093,705	437,482	306,237	656,223
Aleutian Islands subarea <sup>1</sup>	19,000	n/a	n/a	n/a	19,000	n/a	n/a	n/a
CDQ DFA	1,900	760	n/a	1,140	1,900	760	n/a	1,140
ICA	2,000	1,000	n/a	1,000	2,000	1,000	n/a	1,000
Aleut Corporation	15,100	12,259	n/a	2,841	15,100	14,005	n/a	1,095
Bogoslof District ICA <sup>7</sup>	75	n/a	n/a	n/a	75	n/a	n/a	n/a

<sup>1</sup>Pursuant to § 679.20(a)(5)(i)(A), the BS subarea pollock, after subtracting the CDQ DFA (10 percent) and the ICA (3.4 percent), is allocated as a DFA as follows: inshore sector - 50 percent, catcher/processor sector (C/P) - 40 percent, and mothership sector - 10 percent. In the BS subarea, 40 percent of the DFA is allocated to the A season (January 20–June 10) and 60 percent of the DFA is allocated to the B season (June 10–November 1). Pursuant to § 679.20(a)(5)(iii)(B)(2)(i) and (ii), the annual AI pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second the ICA (2,000 mt), is allocated to the Aleut Corporation for a pollock directed fishery. In the AI subarea, the A season is allocated 40 percent of the ABC and the B season is allocated the remainder of the pollock directed fishery.

<sup>2</sup>In the BS subarea, no more than 28 percent of each sector's annual DFA may be taken from the SCA before April 1.

<sup>3</sup>Pursuant to § 679.20(a)(5)(i)(A)(4), not less than 8.5 percent of the DFA allocated to listed catcher/processors shall be available for harvest only by eligible catcher vessels delivering to listed catcher/processors.

<sup>4</sup>Pursuant to § 679.20(a)(5)(i)(A)(4)(iii), the AFA unlisted catcher/processors are limited to harvesting not more than 0.5 percent of the catcher/processors sector's allocation of pollock.

<sup>5</sup>Pursuant to § 679.20(a)(5)(i)(A)(6), NMFS establishes an excessive harvesting share limit equal to 17.5 percent of the sum of the non-CDQ pollock DFAs.

<sup>6</sup>Pursuant to § 679.20(a)(5)(i)(A)(7), NMFS establishes an excessive processing share limit equal to 30.0 percent of the sum of the non-CDQ pollock DFAs.

<sup>7</sup>The Bogoslof District is closed by the final harvest specifications to directed fishing for pollock. The amounts specified are for ICA only and are not apportioned by season or sector.

Note: Seasonal or sector apportionments may not total precisely due to rounding.

## Allocation of the Atka Mackerel TACs

Section 679.20(a)(8) allocates the Atka mackerel TACs to the Amendment 80 and BSAI trawl limited access sectors, after subtracting the CDQ reserves, jig gear allocation, and ICAs for the BSAI trawl limited access sector and non-trawl gear sector (Table 4). The percentage of the ITAC for Atka mackerel allocated to the Amendment 80 and BSAI trawl limited access sectors is listed in Table 33 to part 679 and in § 679.91. Pursuant to § 679.20(a)(8)(i), up to 2 percent of the EAI and the BS subarea Atka mackerel ITAC may be allocated to vessels using jig gear. The percent of this allocation is recommended annually by the Council based on several criteria, including the anticipated harvest capacity of the jig gear fleet. The Council recommended, and NMFS approves, a 0.5 percent allocation of the Atka mackerel ITAC in the EAI and BS subarea to the jig gear sector in 2014 and 2015. This percentage is applied to the Atka mackerel TAC after subtracting the CDQ reserve and the ICA.

Section 679.20(a)(8)(ii)(C)(3) limits the annual Atka mackerel TAC for Area 542 (CAI) to no more than 47 percent of the Area 542 ABC. Section 679.7(a)(19) prohibits retention of Atka mackerel in Area 543 (WAI), and the TAC is set to account for discards in other fisheries. Section 679.20(a)(8)(ii)(A) apportions the Atka mackerel TAC into two equal seasonal allowances. Section 679.23(e)(3) sets the first seasonal allowance for directed fishing with trawl gear from January 20 through June 10 (A season), and the second seasonal allowance from June 10 through November 1 (B season). Section 679.23(e)(4)(iii) applies Atka mackerel seasons to CDQ Atka mackerel fishing. The ICA and jig gear allocations are not apportioned by season.

Sections 679.20(a)(8)(ii)(C)(1)(i) and (ii) require the Amendment 80 cooperatives and CDQ groups to limit harvest to 10 percent of their Central Aleutian District Atka mackerel allocation equally divided between the A and B seasons, within waters 10 nm to 20 nm of Gramp



Rock and Tag Island, as described on Table 12 to part 679. Vessels not fishing under the authority of an Amendment 80 cooperative quota or CDQ allocation are prohibited from conducting directed fishing for Atka mackerel inside Steller sea lion critical habitat in the Central Aleutian District.

Table 4 lists these 2014 and 2015 Atka mackerel seasons, area allowances, and the sector allocations. The 2015 allocations for Atka mackerel between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2014. NMFS will post 2015 Amendment 80 allocations when they become available in December 2014.

TABLE 4—FINAL 2014 AND 2015 SEASONAL AND SPATIAL ALLOWANCES, GEAR SHARES, CDQ RESERVE, INCIDENTAL CATCH ALLOWANCE, AND AMENDMENT 80 ALLOCATIONS OF THE BSAI ATKA MACKEREL TAC

[Amounts are in metric tons]

Sector <sup>1</sup>	Season <sup>2,3,4</sup>	2014 allocation by area			2015 allocation by area		
		Eastern Aleutian District/Bering Sea	Central <sup>5</sup> Aleutian District	Western Aleutian District	Eastern Aleutian District/Bering Sea	Central <sup>5</sup> Aleutian District	Western Aleutian District
TAC	n/a	21,652	9,670	1,000	21,769	9,722	1,000
CDQ reserve	Total	2,317	1,035	107	2,329	1,040	107
	A	1,158	517	54	1,165	520	54
	Critical Habitat <sup>5</sup>	n/a	52	n/a	n/a	52	n/a
	B	1,158	517	54	1,165	520	54
	Critical Habitat <sup>5</sup>	n/a	52	n/a	n/a	52	n/a
ICA	Total	1,000	75	40	1,000	75	40
Jig <sup>6</sup>	Total	92	0	0	92	0	0
BSAI trawl limited access	Total	1,824	856	0	1,835	861	0
	A	912	428	0	917	430	0
	B	912	428	0	917	430	0
Amendment 80 sectors	Total	16,419	7,704	853	16,513	7,746	853
	A	8,210	3,852	427	8,256	3,873	427
	B	8,210	3,852	427	8,256	3,873	427
Alaska Groundfish Cooperative <sup>7</sup>	Total <sup>7</sup>	9,487	4,597	500	n/a	n/a	n/a
	A	4,744	2,299	250	n/a	n/a	n/a
	Critical Habitat <sup>5</sup>	n/a	230	n/a	n/a	n/a	n/a
	B	4,744	2,299	250	n/a	n/a	n/a
	Critical Habitat <sup>5</sup>	n/a	230	n/a	n/a	n/a	n/a
Alaska Seafood Cooperative <sup>7</sup>	Total <sup>7</sup>	6,932	3,107	353	n/a	n/a	n/a
	A	3,466	1,554	177	n/a	n/a	n/a
	Critical Habitat <sup>5</sup>	n/a	155	n/a	n/a	n/a	n/a
	B	3,466	1,554	177	n/a	n/a	n/a
	Critical Habitat <sup>5</sup>	n/a	155	n/a	n/a	n/a	n/a

<sup>1</sup> Section 679.20(a)(8)(ii) allocates the Atka mackerel TACs, after subtracting the CDQ reserves, jig gear allocation, and ICAs to the Amendment 80 and BSAI trawl limited access sectors. The allocation of the ITAC for Atka mackerel to the Amendment 80 and BSAI trawl limited access sectors is established in Table 33 to part 679 and § 679.91. The CDQ reserve is 10.7 percent of the TAC for use by CDQ participants (see §§ 679.20(b)(1)(ii)(C) and 679.31).

<sup>2</sup> Regulations at §§ 679.20(a)(8)(ii)(A) and 679.22(a) establish temporal and spatial limitations for the Atka mackerel fishery.

<sup>3</sup> The seasonal allowances of Atka mackerel are 50 percent in the A season and 50 percent in the B season.

<sup>4</sup> Section 679.23(e)(3) authorizes directed fishing for Atka mackerel with trawl gear during the A season from January 20 to June 10 and the B season from June 10 to November 1.

<sup>5</sup> Section 679.20(a)(8)(ii)(C) requires the TAC in area 542 shall be no more than 47% of ABC, and Atka mackerel harvests for Amendment 80 cooperatives and CDQ groups within waters 10 nm to 20 nm of Gramp Rock and Tag Island, as described in Table 12 to part 679, in Area 542 are limited to no more than 10 percent of the Amendment 80

cooperative Atka mackerel allocation or 10 percent of the CDQ Atka mackerel allocation.

<sup>6</sup> Section 679.20(a)(8)(i) requires that up to 2 percent of the Eastern Aleutian District and the Bering Sea subarea TAC be allocated to jig gear after subtracting the CDQ reserve and ICA. The amount of this allocation is 0.5 percent. The jig gear allocation is not apportioned by season.

<sup>7</sup>The 2015 allocations for Atka mackerel between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2014. NMFS will post 2015 Amendment 80 allocations when they become available in December 2014.

Note: Seasonal or sector apportionments may not total precisely due to rounding.

## Allocation of the Pacific Cod TAC

The Council separated BS and AI subarea OFLs, ABCs, and TACs for Pacific cod. Section 679.20(b)(1)(ii)(C) allocates 10.7 percent of the BS TAC and AI TAC to the CDQ program. After CDQ allocations have been deducted from the respective BS and AI Pacific cod TACs, the remaining BS and AI Pacific cod TACs are combined for calculating further BSAI Pacific cod sector allocations. However, if the non-CDQ Pacific cod TAC is or will be reached in either the BS or AI subareas, NMFS will prohibit non-CDQ directed fishing for Pacific cod in that subarea as provided in § 679.20(d)(1)(iii).

Sections 679.20(a)(7)(i) and (ii) allocate the Pacific cod TAC in the combined BSAI TAC, after subtracting 10.7 percent for the CDQ program, as follows: 1.4 percent to vessels using jig gear; 2.0 percent to hook-and-line and pot CVs less than 60 ft (18.3 m) length overall (LOA); 0.2 percent to hook-and-line CVs greater than or equal to 60 ft (18.3 m) LOA; 48.7 percent to hook-and-line C/P; 8.4 percent to pot CVs greater than or equal to 60 ft (18.3 m) LOA; 1.5 percent to pot C/Ps; 2.3 percent to AFA trawl C/Ps; 13.4 percent to non-AFA trawl C/Ps; and 22.1 percent to trawl CVs. The ICA for the hook-and-line and pot sectors will be deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. For 2014 and 2015, the Regional Administrator establishes an ICA of 500 mt based on anticipated incidental catch by these sectors in other fisheries.

The ITAC allocation of Pacific cod to the Amendment 80 sector is established in Table 33 to part 679 and § 679.91. The 2015 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known

until eligible participants apply for participation in the program by November 1, 2014. NMFS will post 2015 Amendment 80 allocations when they become available in December 2014.

The Pacific cod ITAC is apportioned into seasonal allowances to disperse the Pacific cod fisheries over the fishing year (see §§ 679.20(a)(7) and 679.23(e)(5)). In accordance with § 679.20(a)(7)(iv)(B) and (C), any unused portion of a seasonal Pacific cod allowance will become available at the beginning of the next seasonal allowance.

The CDQ and non-CDQ season allowances by gear based on the 2014 and 2015 Pacific cod TACs are listed in Tables 5 and 6, and are based on the sector allocation percentages of Pacific cod set forth at §§ 679.20(a)(7)(i)(B) and 679.20(a)(7)(iv)(A) and the seasonal allowances of Pacific cod set forth at § 679.23(e)(5).

Section 679.7(a)(19) prohibits retaining Pacific cod in Area 543, and § 679.7(a)(23) prohibits directed fishing for Pacific cod with hook-and-line, pot, or jig gear in the Aleutian Islands subarea November 1 through December 31.

TABLE 5—FINAL 2014 GEAR SHARES AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC

[Amounts are in metric tons]

Gear sector	Percent	2014 share of gear sector total	2014 share of sector total	2014 seasonal apportionment	
				Seasons	Amount
BS TAC		246,897	n/a	n/a	n/a
BS CDQ		26,418	n/a	see § 679.20(a)(7)(i)(B)	n/a
BS non-CDQ TAC		220,479	n/a	n/a	n/a
AI TAC		6,997	n/a	n/a	n/a
AI CDQ		749	n/a	see § 679.20(a)(7)(i)(B)	n/a
AI non-CDQ TAC		6,248	n/a	n/a	n/a
Total BSAI non-CDQ TAC <sup>1</sup>	100	226,727	n/a	n/a	n/a
Total hook-and-line/pot gear	60.8	137,850	n/a	n/a	n/a
Hook-and-line/pot ICA <sup>2</sup>	n/a	500	n/a	see § 679.20(a)(7)(ii)(B)	n/a
Hook-and-line/pot sub-total	n/a	137,350	n/a	n/a	n/a
Hook-and-line catcher/processor	48.7	n/a	110,016	Jan 1-Jun 10	56,108
				Jun 10-Dec 31	53,908
Hook-and-line catcher vessel ≥ 60 ft LOA	0.2	n/a	452	Jan 1-Jun 10	230
				Jun 10-Dec 31	221
Pot catcher/processor	1.5	n/a	3,389	Jan 1-Jun 10	1,728
				Sept 1-Dec 31	1,660
Pot catcher vessel ≥ 60 ft LOA	8.4	n/a	18,976	Jan 1-Jun 10	9,678
				Sept 1-Dec 31	9,298
Catcher vessel < 60 ft LOA using hook-and-line or pot gear	2	n/a	4,518	n/a	n/a
Trawl catcher vessel	22.1	50,107	n/a	Jan 20-Apr 1	37,079
				Apr 1-Jun 10	5,512
				Jun 10-Nov 1	7,516
AFA trawl catcher/processor	2.3	5,215	n/a	Jan 20-Apr 1	3,911
				Apr 1- Jun 10	1,304
				Jun 10-Nov 1	0
Amendment 80	13.4	30,381	n/a	Jan 20-Apr 1	22,786
				Apr 1- Jun 10	7,595
				Jun 10-Nov 1	0
Alaska Groundfish Cooperative	n/a	n/a	5,657	Jan 20-Apr 1	4,243
				Apr 1- Jun 10	1,414
				Jun 10-Nov 1	0
Alaska Seafood Cooperative	n/a	n/a	24,724	Jan 20-Apr 1	18,543
				Apr 1- Jun 10	6,181
				Jun 10-Nov 1	0
Jig	1.4	3,174	n/a	Jan 1-Apr 30	1,905
				Apr 30-Aug 31	635
				Aug 31-Dec 31	635

<sup>1</sup> The gear shares and seasonal allowances for BSAI Pacific cod TAC are based on the sum of the BS and AI Pacific cod TACs, after the subtraction of CDQ. If the TAC for Pacific cod in either the AI or BS is reached, then directed fishing for Pacific cod in that subarea may be prohibited, even if a BSAI allowance remains.

<sup>2</sup> The ICA for the hook-and-line and pot sectors will be deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. The Regional Administrator approves an ICA of 500 mt for 2014 based on anticipated incidental catch in these fisheries.

Note: Seasonal or sector apportionments may not total precisely due to rounding.

TABLE 6—FINAL 2015 GEAR SHARES AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC

[Amounts are in metric tons]

Gear sector	Percent	2015 share of gear sector total	2015 share of sector total	2015 seasonal apportionment	
				Seasons	Amount
BS TAC	n/a	251,712	n/a	n/a	n/a
BS CDQ	n/a	26,933	n/a	see § 679.20(a)(7)(i)(B)	n/a
BS non-CDQ TAC	n/a	224,779	n/a	n/a	n/a
AI TAC	n/a	6,487	n/a	n/a	n/a
AI CDQ	n/a	694	n/a	see § 679.20(a)(7)(i)(B)	n/a
AI non-CDQ TAC	n/a	5,793	n/a	n/a	n/a
Total BSAI non-CDQ TAC <sup>1</sup>	n/a	230,572	n/a	n/a	n/a
Total hook-and-line/pot gear	60.8	140,188	n/a	n/a	n/a
Hook-and-line/pot ICA <sup>2</sup>	n/a	500	n/a	see § 679.20(a)(7)(ii)(B)	n/a
Hook-and-line/pot sub-total	n/a	139,688	n/a	n/a	n/a
Hook-and-line catcher/processor	48.7	n/a	111,888	Jan 1-Jun 10	57,063
				Jun 10-Dec 31	54,825
Hook-and-line catcher vessel ≥ 60 ft LOA	0.2	n/a	459	Jan 1-Jun 10	234
				Jun 10-Dec 31	225
Pot catcher/processor	1.5	n/a	3,446	Jan 1-Jun 10	1,758
				Sept 1-Dec 31	1,689
Pot catcher vessel ≥ 60 ft LOA	8.4	n/a	19,299	Jan 1-Jun 10	9,842
				Sept 1-Dec 31	9,456
Catcher vessel < 60 ft LOA using hook-and-line or pot gear	2	n/a	4,595	n/a	n/a
Trawl catcher vessel	22.1	50,956	n/a	Jan 20-Apr 1	37,708
				Apr 1-Jun 10	5,605
				Jun 10-Nov 1	7,643
AFA trawl catcher/processor	2.3	5,303	n/a	Jan 20-Apr 1	3,977
				Apr 1- Jun 10	1,326
				Jun 10-Nov 1	0
Amendment 80	13.4	30,897	n/a	Jan 20-Apr 1	23,172
				Apr 1- Jun 10	7,724
				Jun 10-Nov 1	0
Jig	1.4	3,228	n/a	Jan 1-Apr 30	1,937
				Apr 30-Aug 31	646
				Aug 31-Dec 31	646

<sup>1</sup> The gear shares and seasonal allowances for BSAI Pacific cod TAC are based on the sum of the BS and AI Pacific cod TACs, after the subtraction of CDQ. If the TAC for Pacific cod in either the AI or BS is reached, then directed fishing for Pacific cod in that subarea may be prohibited, even if a BSAI allowance remains.

<sup>2</sup> The ICA for the hook-and-line and pot sectors will be deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. The Regional Administrator approves an ICA of 500 mt for 2015 based on anticipated incidental catch in these fisheries.

Note: Seasonal or sector apportionments may not total precisely due to rounding.

## Sablefish Gear Allocation

Sections 679.20(a)(4)(iii) and (iv) require allocation of the sablefish TAC for the BS and AI subareas between trawl and hook-and-line or pot gear sectors. Gear allocations of the TAC for the BS subarea are 50 percent for trawl gear and 50 percent for hook-and-line or pot gear. Gear allocations of the TACs for the AI subarea are 25 percent for trawl gear and 75 percent for hook-and-line or pot gear. Section 679.20(b)(1)(ii)(B) requires NMFS to apportion 20 percent of the hook-and-line and pot gear allocation of sablefish to the CDQ reserve. Additionally, § 679.20(b)(1)(ii)(D)(1) requires that 7.5 percent of the trawl gear allocation of sablefish from the non-specified reserves, established under § 679.20(b)(1)(i), be assigned to the CDQ reserve. The Council recommended that only trawl sablefish TAC be established biennially. The harvest specifications for the hook-and-line gear and pot gear sablefish Individual Fishing Quota (IFQ) fisheries will be limited to the 2014 fishing year to ensure those fisheries are conducted concurrently with the halibut IFQ fishery. Concurrent sablefish and halibut IFQ fisheries will reduce the potential for discards of halibut and sablefish in those fisheries. The sablefish IFQ fisheries will remain closed at the beginning of each fishing year until the final harvest specifications for the sablefish IFQ fisheries are in effect. Table 7 lists the 2014 and 2015 gear allocations of the sablefish TAC and CDQ reserve amounts.



TABLE 7—FINAL 2014 AND 2015 GEAR SHARES AND CDQ RESERVE OF BSAI SABLEFISH TACS

[Amounts are in metric tons]

Subarea and gear	Percent of TAC	2014 Share of TAC	2014 ITAC	2014 CDQ reserve	2015 Share of TAC	2015 ITAC	2015 CDQ reserve
Bering Sea							
Trawl <sup>1</sup>	50	670	569	50	605	514	45
Hook-and-line/pot gear <sup>2</sup>	50	670	536	134	n/a	n/a	n/a
TOTAL	100	1,339	1,105	184	605	514	45
Aleutian Islands							
Trawl <sup>1</sup>	25	453	385	34	409	348	31
Hook-and-line/pot gear <sup>2</sup>	75	1,358	1,086	272	n/a	n/a	n/a
TOTAL	100	1,811	1,471	306	409	348	31

<sup>1</sup> Except for the sablefish hook-and-line or pot gear allocation, 15 percent of TAC is apportioned to the reserve. The ITAC is the remainder of the TAC after the subtracting these reserves.

<sup>2</sup> For the portion of the sablefish TAC allocated to vessels using hook-and-line or pot gear, 20 percent of the allocated TAC is reserved for use by CDQ participants. The Council recommended that specifications for the hook-and-line gear sablefish IFQ fisheries be limited to one year.

Note: Sector apportionments may not total precisely due to rounding.

## Allocation of the AI Pacific Ocean Perch, and BSAI Flathead Sole, Rock Sole, and Yellowfin Sole TACs

Sections 679.20(a)(10)(i) and (ii) require that NMFS allocate AI Pacific ocean perch, and BSAI flathead sole, rock sole, and yellowfin sole TAC between the Amendment 80 sector and BSAI trawl limited access sector, after subtracting 10.7 percent for the CDQ reserve and an ICA for the BSAI trawl limited access sector and vessels using non-trawl gear. The allocation of the ITAC for AI Pacific ocean perch, and BSAI flathead sole, rock sole, and yellowfin sole to the Amendment 80 sector is established in accordance with Tables 33 and 34 to part 679 and § 679.91.

The 2015 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2014. NMFS will publish 2015 Amendment 80 allocations when they become available in December 2014. Tables 8 and 9 list the 2014 and 2015 allocations of the AI Pacific ocean perch, and BSAI flathead sole, rock sole, and yellowfin sole TACs.

TABLE 8—FINAL 2014 COMMUNITY DEVELOPMENT QUOTA (CDQ) RESERVES, INCIDENTAL CATCH AMOUNTS (ICAS), AND AMENDMENT 80 ALLOCATIONS OF THE ALEUTIAN ISLANDS PACIFIC OCEAN PERCH, AND BSAI FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE TACS

[Amounts are in metric tons]

Sector	Pacific ocean perch			Flathead sole	Rock sole	Yellowfin sole
	Eastern Aleutian District	Central Aleutian District	Western Aleutian District	BSAI	BSAI	BSAI
TAC	9,246	6,594	9,598	24,500	85,000	184,000
CDQ	989	706	1,027	2,622	9,095	19,688
ICA	200	75	10	5,000	8,000	2,400
BSAI trawl limited access	806	581	171	0	0	29,707
Amendment 80	7,251	5,232	8,390	16,879	67,905	132,205
Alaska Groundfish Cooperative	3,845	2,774	4,449	3,313	19,400	56,779
Alaska Seafood Cooperative	3,406	2,458	3,941	13,566	48,505	75,426

Note: Sector apportionments may not total precisely due to rounding.

TABLE 9—FINAL 2015 COMMUNITY DEVELOPMENT QUOTA (CDQ) RESERVES, INCIDENTAL CATCH AMOUNTS (ICAS), AND AMENDMENT 80 ALLOCATIONS OF THE ALEUTIAN ISLANDS PACIFIC OCEAN PERCH, AND BSAI FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE TACS

[Amounts are in metric tons]

Sector	Pacific ocean perch			Flathead sole	Rock sole	Yellowfin sole
	Eastern Aleutian District	Central Aleutian District	Western Aleutian District	BSAI	BSAI	BSAI
TAC	8,833	6,299	9,169	25,129	85,000	187,000
CDQ	945	674	981	2,689	9,095	20,009
ICA	200	75	10	5,000	8,000	2,400
BSAI trawl limited access	769	555	164	0	0	30,779
Amendment 80 <sup>1</sup>	6,919	4,995	8,014	17,440	67,905	133,812

<sup>1</sup>The 2015 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2014. NMFS will publish 2015 Amendment 80 allocations when they become available in December 2014.

Note: Sector apportionments may not total precisely due to rounding.

## PSC Limits for Halibut, Salmon, Crab, and Herring

Section 679.21(e) sets forth the BSAI PSC limits. Pursuant to § 679.21(e)(1)(iv) and (e)(2), the 2014 and 2015 BSAI halibut mortality limits are 3,675 mt for trawl fisheries and 900 mt for the non-trawl fisheries. Sections 679.21(e)(3)(i)(A)(2) and 679.21(e)(4)(i)(A) allocate 326 mt of the trawl halibut mortality limit and 7.5 percent, or 67 mt, of the non-trawl halibut mortality limit as the PSQ reserve for use by the groundfish CDQ program.

Section 679.21(e)(4)(i) authorizes apportioning the non-trawl halibut PSC limit into PSC bycatch allowances among six fishery categories. Tables 11 and 12 list the fishery bycatch allowances for the trawl fisheries, and Table 13 lists the fishery bycatch allowances for the non-trawl fisheries.

Pursuant to section 3.6 of the FMP, the Council recommends, and NMFS agrees, that certain specified non-trawl fisheries be exempt from the halibut PSC limit. As in past years, after consulting with the Council, NMFS exempts pot gear, jig gear, and the sablefish IFQ hook-and-line gear fishery categories from halibut bycatch restrictions for the following reasons: (1) the pot gear fisheries have low halibut bycatch mortality; (2) NMFS estimates halibut mortality for the jig gear fleet to be negligible because of the small size of the fishery and the selectivity of the gear; and (3) the IFQ program requires legal-size halibut to be retained by vessels using hook-and-line gear if a halibut IFQ permit holder or a hired master is aboard and is holding unused halibut IFQ (subpart D of 50 CFR part 679). In 2013, total groundfish catch for the pot gear fishery in the BSAI was approximately 34,368 mt, with an associated halibut bycatch mortality of about 3 mt.

The 2013 jig gear fishery harvested about 40 mt of groundfish. Most vessels in the jig gear fleet are exempt from observer coverage requirements. As a result, observer data are not

available on halibut bycatch in the jig gear fishery. However, as mentioned above, NMFS estimates the jig gear sector will have a negligible amount of halibut bycatch mortality because of the selective nature of jig gear and the low mortality rate of halibut caught with jig gear and released.

Section 679.21(f)(2) annually allocates portions of either 47,591 or 60,000 Chinook salmon PSC limits among the AFA sectors, depending on past catch performance and on whether Chinook salmon bycatch incentive plan agreements are formed. If an AFA sector participates in an approved Chinook salmon bycatch incentive plan agreement, then NMFS will allocate a portion of the 60,000 PSC limit to that sector as specified in § 679.21(f)(3)(iii)(A). If no Chinook salmon bycatch incentive plan agreement is approved, or if the sector has exceeded its performance standard under § 679.21(f)(6), then NMFS will allocate a portion of the 47,591 Chinook salmon PSC limit to that sector, as specified in § 679.21(f)(3)(iii)(B). In 2014, the Chinook salmon PSC limit is 60,000 and the AFA sector Chinook salmon allocations are seasonally allocated with 70 percent of the allocation for the A season pollock fishery, and 30 percent of the allocation for the B season pollock fishery as stated in § 679.21(f)(3)(iii)(A). The basis for these PSC limits is described in detail in the final rule implementing management measures for Amendment 91 (75 FR 53026, August 30, 2010). NMFS publishes the approved Chinook salmon bycatch incentive plan agreements, 2014 allocations, and reports at: <http://alaskafisheries.noaa.gov/sustainablefisheries/bycatch/default.htm>.

Section 679.21(e)(1)(viii) specifies 700 fish as the 2014 and 2015 Chinook salmon PSC limit for the AI subarea pollock fishery. Section 679.21(e)(3)(i)(A)(3)(i) allocates 7.5 percent, or 53 Chinook salmon, to the AI subarea PSQ for the CDQ program, and allocates the remaining 647 Chinook salmon to the non-CDQ fisheries.

Section 679.21(e)(1)(vii) specifies 42,000 fish as the 2014 and 2015 non-Chinook salmon PSC limit in the Catcher Vessel Operational Area (CVOA). Section 679.21(e)(3)(i)(A)(3)(ii) allocates 10.7 percent, or 4,494 non-Chinook salmon in the CVOA as the PSQ for the CDQ program, and allocates the remaining 37,506 non-Chinook salmon in the CVOA as the PSC limit for the non-CDQ fisheries.

PSC limits for crab and herring are specified annually based on abundance and spawning biomass. Section 679.21(e)(3)(i)(A)(1) allocates 10.7 percent from each trawl gear PSC limit specified for crab as a PSQ reserve for use by the groundfish CDQ program.

Based on the 2013 survey data, the red king crab mature female abundance is estimated at 19.9 million red king crabs, and the effective spawning biomass is estimated at 49.3 million lb (22,362 mt). Based on the criteria set out at § 679.21(e)(1)(i), the 2014 and 2015 PSC limit of red king crab in Zone 1 for trawl gear is 97,000 animals. This limit derives from the mature female abundance of more than 8.4 million king crab and the effective spawning biomass estimate of less than 55 million lb (24,948 mt).

Section 679.21(e)(3)(ii)(B)(2) establishes criteria under which NMFS must specify an annual red king crab bycatch limit for the Red King Crab Savings Subarea (RKCSS). The regulations limit the RKCSS red king crab bycatch limit to 25 percent of the red king crab PSC limit, based on the need to optimize the groundfish harvest relative to red king crab bycatch. In December 2013, the Council recommended and NMFS concurs that the red king crab bycatch limit be equal to 25 percent of the red king crab PSC limit within the RKCSS (Table 11).

Based on 2013 survey data, Tanner crab (Chionoecetes bairdi) abundance is estimated at 946 million animals. Pursuant to criteria set out at § 679.21(e)(1)(ii), the calculated 2014 and 2015 C. bairdi crab PSC limit for trawl gear is 980,000 animals in Zone 1 and 2,970,000 animals

in Zone 2. These limits derive from the C. bairdi crab abundance estimate being in excess of the 400 million animals for both the Zone 1 and Zone 2 allocations.

Pursuant to § 679.21(e)(1)(iii), the PSC limit for snow crab (C. opilio) is based on total abundance as indicated by the NMFS annual bottom trawl survey. The C. opilio crab PSC limit is set at 0.1133 percent of the BS abundance index minus 150,000 crab. Based on the 2013 survey estimate of 10.005 billion animals, the calculated C. opilio crab PSC limit is 11,185,892 animals.

Pursuant to § 679.21(e)(1)(v), the PSC limit of Pacific herring caught while conducting any trawl operation for BSAI groundfish is 1 percent of the annual eastern BS herring biomass. The best estimate of 2014 and 2015 herring biomass is 217,153 mt. This amount was derived using 2013 survey data and an age-structured biomass projection model developed by the Alaska Department of Fish and Game. Therefore, the herring PSC limit for 2014 and 2015 is 2,172 mt for all trawl gear as listed in Tables 10 and 11.

Section 679.21(e)(3)(i)(A) requires PSQ reserves to be subtracted from the total trawl PSC limits. The 2014 PSC limits assigned to the Amendment 80 and BSAI trawl limited access sectors are specified in Table 35 to part 679. The resulting allocations of PSC limit to CDQ PSQ, the Amendment 80 sector, and the BSAI trawl limited access fisheries are listed in Table 10. Pursuant to § 679.21(e)(1)(iv) and § 679.91(d) through (f), crab and halibut trawl PSC limits assigned to the Amendment 80 sector are then further allocated to Amendment 80 cooperatives as PSC cooperative quota as listed in Table 14. PSC cooperative quota assigned to Amendment 80 cooperatives is not allocated to specific fishery categories. In 2014, there are no vessels in the Amendment 80 limited access sector. The 2015 PSC allocations between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible



participants apply for participation in the program by November 1, 2014. Section 679.21(e)(3)(i)(B) requires NMFS to apportion each trawl PSC limit not assigned to Amendment 80 cooperatives into PSC bycatch allowances for seven specified fishery categories.

Section 679.21(e)(5) authorizes NMFS, after consulting with the Council, to establish seasonal apportionments of PSC amounts for the BSAI trawl limited access and Amendment 80 limited access sectors in order to maximize the ability of the fleet to harvest the available groundfish TAC and to minimize bycatch. The factors to be considered are (1) seasonal distribution of prohibited species; (2) seasonal distribution of target groundfish species; (3) PSC bycatch needs on a seasonal basis relevant to prohibited species biomass; (4) expected variations in bycatch rates throughout the year; (5) expected start of fishing effort; and (6) economic effects of seasonal PSC apportionments on industry sectors. The Council recommended and NMFS approves the seasonal PSC apportionments in Tables 12 and 13 to maximize harvest among gear types, fisheries, and seasons while minimizing bycatch of PSC based on the above criteria.

TABLE 10-FINAL 2014 AND 2015 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE CDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species and area <sup>1</sup>	Total non-trawl PSC	Non-trawl PSC remaining after CDQ PSQ <sup>2</sup>	Total trawl PSC	Trawl PSC remaining after CDQ PSQ <sup>2</sup>	CDQ PSQ reserve <sup>2</sup>	Amendment 80 sector <sup>3</sup>	BSAI trawl limited access fishery
Halibut mortality (mt) BSAI	900	832	3,675	3,349	393	2,325	875
Herring (mt) BSAI	n/a	n/a	2,172	n/a	n/a	n/a	n/a
Red king crab (animals) Zone 1	n/a	n/a	97,000	86,621	10,379	43,293	26,489
C. <u>opilio</u> (animals) COBLZ	n/a	n/a	11,185,892	9,989,002	1,196,890	4,909,594	3,210,465
C. <u>bairdi</u> crab (animals) Zone 1	n/a	n/a	980,000	875,140	104,860	368,521	411,228
C. <u>bairdi</u> crab (animals) Zone 2	n/a	n/a	2,970,000	2,652,210	317,790	627,778	1,241,500

<sup>1</sup>Refer to § 679.2 for definitions of zones.

<sup>2</sup>Section 679.21(e)(3)(i)(A)(2) allocates 326 mt of the trawl halibut mortality limit and § 679.21(e)(4)(i)(A) allocates 7.5 percent, or 67 mt, of the non-trawl halibut mortality limit as the PSQ reserve for use by the groundfish CDQ program. The PSQ reserve for crab species is 10.7 percent of each crab PSC limit.

<sup>3</sup>The Amendment 80 program reduced apportionment of the trawl PSC limits by 150 mt for halibut mortality and 20 percent for crab. These reductions are not apportioned to other gear types or sectors.

Note: Sector apportionments may not total precisely due to rounding.

TABLE 11-FINAL 2014 AND 2015 HERRING AND RED KING CRAB SAVINGS SUBAREA PROHIBITED SPECIES CATCH ALLOWANCES FOR ALL TRAWL SECTORS

Fishery Categories	Herring (mt) BSAI	Red king crab (animals) Zone 1
Yellowfin sole	148	n/a
Rock sole/flathead sole/other flatfish <sup>1</sup>	24	n/a
Turbot/arrowtooth/sablefish <sup>2</sup>	16	n/a
Rockfish	11	n/a
Pacific cod	33	n/a
Midwater trawl pollock	1,776	n/a
Pollock/Atka mackerel/other species <sup>3,4</sup>	164	n/a
Red king crab savings subarea non-pelagic trawl gear <sup>5</sup>	n/a	24,250
Total trawl PSC	2,172	97,000

<sup>1</sup> “Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), arrowtooth flounder, flathead sole, Greenland turbot, Kamchatka flounder, rock sole, and yellowfin sole.

<sup>2</sup> “Arrowtooth flounder” for PSC monitoring includes Kamchatka flounder.

<sup>3</sup> Pollock other than pelagic trawl pollock, Atka mackerel, and "other species" fishery category.

<sup>4</sup> “Other species” for PSC monitoring includes skates, sculpins, sharks, squids, and octopuses.

<sup>5</sup> In December 2013 the Council recommended that the red king crab bycatch limit for non-pelagic trawl fisheries within the RKCSS be limited to 25 percent of the red king crab PSC allowance (see § 679.21(e)(3)(ii)(B)(2)).

Note: Species apportionments may not total precisely due to rounding.

TABLE 12—FINAL 2014 AND 2015 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTOR

BSAI trawl limited access fisheries	Prohibited species and area <sup>1</sup>				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	<u>C. opilio</u> (animals) COBLZ	<u>C. bairdi</u> (animals)	
				Zone 1	Zone 2
Yellowfin sole	167	23,338	3,026,465	346,228	1,185,500
Rock sole/flathead sole/other flatfish <sup>2</sup>	0	0	0	0	0
Turbot/arrowtooth/sablefish <sup>3</sup>	0	0	0	0	0
Rockfish April 15 - December 31	5	0	5,000	0	1,000
Pacific cod	453	2,954	129,000	60,000	50,000
Pollock/Atka mackerel/other species <sup>4</sup>	250	197	50,000	5,000	5,000
Total BSAI trawl limited access PSC	875	26,489	3,210,465	411,228	1,241,500

<sup>1</sup> Refer to § 679.2 for definitions of areas.

<sup>2</sup> “Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.

<sup>3</sup> Arrowtooth flounder for PSC monitoring includes Kamchatka flounder.

<sup>4</sup> “Other species” for PSC monitoring includes skates, sculpins, sharks, squids, and octopuses.

Note: Seasonal or sector apportionments may not total precisely due to rounding.

TABLE 13—FINAL 2014 AND 2015 PROHIBITED SPECIES  
BYCATCH ALLOWANCES FOR NON-TRAWL FISHERIES

Non-trawl fisheries	Catcher/processor	Catcher vessel
Pacific cod-Total	760	15
January 1 - June 10	455	10
June 10 - August 15	190	3
August 15 - December 31	115	2
Other non-trawl-Total		58
May 1 - December 31		58
Groundfish pot and jig		Exempt
Sablefish hook-and-line		Exempt
Total non-trawl PSC		833

Note: Seasonal or sector apportionments may not total precisely due to rounding.

TABLE 14—FINAL 2014 PROHIBITED SPECIES BYCATCH ALLOWANCE FOR THE BSAI AMENDMENT  
80 COOPERATIVES

Cooperative	Prohibited species and zones <sup>1</sup>				
	Halibut mortality (mt)	Red king crab (animals)	C. opilio (animals)	C. bairdi (animals)	
	BSAI	Zone 1	COBLZ	Zone 1	Zone 2
Alaska Seafood Cooperative	1,602	29,285	3,150,269	257,941	431,195
Alaska Groundfish Cooperative	723	14,008	1,759,325	110,580	196,583

<sup>1</sup> Refer to § 679.2 for definitions of zones.

Note: Sector apportionments may not total precisely due to rounding.

## Halibut Discard Mortality Rates (DMR)

To monitor halibut bycatch mortality allowances and apportionments, the Regional Administrator uses observed halibut bycatch rates, DMRs, and estimates of groundfish catch to project when a fishery's halibut bycatch mortality allowance or seasonal apportionment is reached. The DMRs are based on the best information available, including information contained in the annual SAFE report.

NMFS approves the halibut DMRs developed and recommended by the International Pacific Halibut Commission (IPHC) and the Council for the 2014 and 2015 BSAI groundfish fisheries for use in monitoring the 2014 and 2015 halibut bycatch allowances (see Tables 10, 11, 12, 13, and 14). The IPHC developed these DMRs for the 2014 and 2015 BSAI fisheries using the 10-year mean DMRs for those fisheries. The IPHC will analyze observer data annually and recommend changes to the DMRs when a fishery DMR shows large variation from the mean. A discussion of the DMRs is available from the Council (see ADDRESSES). Table 15 lists the 2014 and 2015 DMRs.

TABLE 15—FINAL 2014 AND 2015 PACIFIC HALIBUT DISCARD MORTALITY RATES FOR THE BSAI

Gear	Fishery	Halibut discard mortality rate (percent)
Non-CDQ hook-and-line	Greenland turbot	13
	Other species <sup>1</sup>	9
	Pacific cod	9
	Rockfish	4
Non-CDQ trawl	Alaska plaice	71
	Arrowtooth flounder <sup>2</sup>	76
	Atka mackerel	77
	Flathead sole	73
	Greenland turbot	64
	Non-pelagic pollock	77
	Pelagic pollock	88
	Other flatfish <sup>3</sup>	71
	Other species <sup>1</sup>	71
	Pacific cod	71
	Rockfish	79
	Rock sole	85
	Sablefish	75
	Yellowfin sole	83
Non-CDQ Pot	Other species <sup>1</sup>	8
	Pacific cod	8
CDQ trawl	Atka mackerel	86
	Greenland turbot	89
	Flathead sole	79
	Non-pelagic pollock	83
	Pacific cod	90
	Pelagic pollock	90
	Rockfish	80
	Rock sole	88
	Yellowfin sole	86
CDQ hook-and-line	Greenland turbot	4
	Pacific cod	10
CDQ pot	Pacific cod	8
	Sablefish	34

<sup>1</sup> “Other species” includes skates, sculpins, sharks, squids, and octopuses.

<sup>2</sup> Arrowtooth flounder includes Kamchatka flounder.

<sup>3</sup> “Other flatfish” includes all flatfish species, except for halibut (a prohibited species), Alaska plaice, flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.



## Directed Fishing Closures

In accordance with § 679.20(d)(1)(i), the Regional Administrator may establish a DFA for a species or species group if the Regional Administrator determines that any allocation or apportionment of a target species has been or will be reached. If the Regional Administrator establishes a DFA, and that allowance is or will be reached before the end of the fishing year, NMFS will prohibit directed fishing for that species or species group in the specified subarea or district (see § 679.20(d)(1)(iii)). Similarly, pursuant to § 679.21(e), if the Regional Administrator determines that a fishery category's bycatch allowance of halibut, red king crab, C. bairdi crab, or C. opilio crab for a specified area has been reached, the Regional Administrator will prohibit directed fishing for each species in that category in the specified area.

Based on historic catch patterns and anticipated fishing activity, the Regional Administrator has determined that the groundfish allocation amounts in Table 16 will be necessary as incidental catch to support other anticipated groundfish fisheries for the 2014 and 2015 fishing years. Consequently, in accordance with § 679.20(d)(1)(i), the Regional Administrator establishes the DFA for the species and species groups in Table 10 as zero. Therefore, in accordance with § 679.20(d)(1)(iii), NMFS is prohibiting directed fishing for these sectors and species in the specified areas effective at 1200 hrs, A.l.t., [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER], through 2400 hrs, A.l.t., December 31, 2015. Also, for the BSAI trawl limited access sector, bycatch allowances of halibut, red king crab, C. bairdi crab, and C. opilio crab listed in Table 10 are insufficient to support directed fisheries. Therefore, in accordance with § 679.21(e)(7), NMFS is prohibiting directed fishing for these sectors and fishery categories in the specified areas effective at 1200 hrs, A.l.t., [INSERT DATE

OF PUBLICATION IN THE FEDERAL REGISTER], through 2400 hrs, A.l.t., December 31,  
2015.

TABLE 16—2014 AND 2015 DIRECTED FISHING CLOSURES<sup>1</sup>

[Groundfish and halibut amounts are in metric tons. Crab amounts are in number of animals.]

Area	Sector	Species	2014 Incidental Catch Allowance	2015 Incidental Catch Allowance
Bogoslof District	All	Pollock	75	75
Aleutian Islands subarea	All	ICA pollock	2,000	2,000
		"Other rockfish" <sup>2</sup>	473	473
Eastern Aleutian District/Bering Sea	Non-amendment 80 and BSAI trawl limited access	ICA Atka mackerel	1,000	1,000
Eastern Aleutian District/Bering Sea	All	Rougheye rockfish	177	201
Eastern Aleutian District	Non-amendment 80 and BSAI trawl limited access	ICA Pacific ocean perch	200	200
Central Aleutian District	Non-amendment 80 and BSAI trawl limited access	ICA Atka mackerel	75	75
		ICA Pacific ocean perch	75	75
Western Aleutian District	Non-amendment 80 and BSAI trawl limited access	ICA Atka mackerel	40	40
		ICA Pacific ocean perch	10	10
Central and Western Aleutian Districts	All	Rougheye rockfish	239	277
Bering Sea subarea	All	Pacific ocean perch	6,531	6,239
		"Other rockfish" <sup>2</sup>	300	400
		ICA pollock	38,770	38,495
Bering Sea and Aleutian Islands	All	Northern rockfish	2,205	2,550
		Shortraker rockfish	370	370
		Skates	22,100	22,100
		Sculpins	4,888	4,888
		Sharks	125	125
		Squids	264	276
		Octopuses	225	225
	Hook-and-line and pot gear	ICA Pacific cod	500	500
	Non-amendment 80	ICA flathead sole	5,000	5,000
		ICA rock sole	8,000	8,000
	Non-amendment 80 and BSAI trawl limited access	ICA yellowfin sole	2,400	2,400
	BSAI trawl limited access	Rock sole/flathead sole/other flatfish - halibut mortality, red king crab Zone 1, <i>C. opilio</i> COBLZ, <i>C. bairdi</i> Zone 1 and 2	0	0
		Turbot/arrowtooth/sablefish - halibut mortality, red king crab Zone 1, <i>C. opilio</i> COBLZ, <i>C. bairdi</i> Zone 1 and 2	0	0
		Rockfish - red king crab Zone 1	0	0

<sup>1</sup>Maximum retainable amounts may be found in Table 11 to 50 CFR part 679.<sup>2</sup>"Other rockfish" includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern rockfish, dark rockfish, shortraker rockfish, and rougheye rockfish.

Closures implemented under the final 2013 and 2014 BSAI harvest specifications for groundfish (78 FR 13813, March 1, 2013) remain effective under authority of these final 2014 and 2015 harvest specifications, and are posted at the following websites:

[http://alaskafisheries.noaa.gov/cm/info\\_bulletins/](http://alaskafisheries.noaa.gov/cm/info_bulletins/) and

[http://alaskafisheries.noaa.gov/fisheries\\_reports/reports/](http://alaskafisheries.noaa.gov/fisheries_reports/reports/). While these closures are in effect, the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a fishing trip.

These closures to directed fishing are in addition to closures and prohibitions found in regulations at 50 CFR part 679.

#### Listed AFA Catcher/Processor Sideboard Limits

Pursuant to § 679.64(a), the Regional Administrator is responsible for restricting the ability of listed AFA C/Ps to engage in directed fishing for groundfish species other than pollock to protect participants in other groundfish fisheries from adverse effects resulting from the AFA and from fishery cooperatives in the pollock directed fishery. These restrictions are set out as “sideboard” limits on catch. The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the AFA (67 FR 79692, December 30, 2002) and Amendment 80 (72 FR 52668, September 14, 2007). Table 17 lists the 2014 and 2015 C/P sideboard limits.

All harvest of groundfish sideboard species by listed AFA C/Ps, whether as targeted catch or incidental catch, will be deducted from the sideboard limits in Table 17. However, groundfish sideboard species that are delivered to listed AFA C/Ps by CVs will not be deducted from the 2014 and 2015 sideboard limits for the listed AFA C/Ps.

TABLE 17—FINAL 2014 AND 2015 LISTED BSAI AMERICAN FISHERIES ACT CATCHER/PROCESSOR GROUND FISH SIDEBOARD LIMITS

[Amounts are in metric tons]

Target species	Area/season	1995 - 1997			2014 ITAC available to trawl C/Ps <sup>1</sup>	2014 AFA C/P side-board limit	2015 ITAC available to trawl C/Ps <sup>1</sup>	2015 AFA C/P side-board limit
		Retained catch	Total catch	Ratio of retained catch to total catch				
Sablefish trawl	BS	8	497	0.016	569	9	514	8
	AI	0	145	0	385	0	348	0
Atka mackerel	Central AI A season <sup>2</sup>	n/a	n/a	0.115	4,318	497	4,341	499
	Central AI B season <sup>2</sup>	n/a	n/a	0.115	4,318	497	4,341	499
	Western AI A season <sup>2</sup>	n/a	n/a	0.2	670	134	670	134
	Western AI B season <sup>2</sup>	n/a	n/a	0.2	670	134	670	134
Rock sole	BSAI	6,317	169,362	0.037	75,905	2,808	75,905	2,808
Greenland turbot	BS	121	17,305	0.007	1,410	10	2,106	15
	AI	23	4,987	0.005	395	2	591	3
Arrowtooth flounder	BSAI	76	33,987	0.002	21,250	43	21,250	43
Kamchatka flounder	BSAI	76	33,987	0.002	6,035	12	6,205	12
Flathead sole	BSAI	1,925	52,755	0.036	21,879	788	22,440	808
Alaska plaice	BSAI	14	9,438	0.001	20,825	21	21,250	21
Other flatfish	BSAI	3,058	52,298	0.058	2,253	131	2,550	148
Pacific ocean perch	BS	12	4,879	0.002	6,531	13	6,239	12
	Eastern AI	125	6,179	0.02	8,257	165	7,888	158
	Central AI	3	5,698	0.001	5,888	6	5,625	6
	Western AI	54	13,598	0.004	8,571	34	8,188	33
Northern rockfish	BSAI	91	13,040	0.007	2,205	15	2,550	18
Shortraker rockfish	BSAI	50	2,811	0.018	370	7	370	7
Rougheye rockfish	EBS/EAI	50	2,811	0.018	177	3	201	4
	CAI/WAI	50	2,811	0.018	239	4	277	5
Other rockfish	BS	18	621	0.029	300	9	400	12
	AI	22	806	0.027	473	13	473	13
Skates	BSAI	553	68,672	0.008	22,100	177	22,100	177
Sculpins	BSAI	553	68,672	0.008	4,888	39	4,888	39
Sharks	BSAI	553	68,672	0.008	125	1	125	1
Squids	BSAI	73	3,328	0.022	264	6	276	6
Octopuses	BSAI	553	68,672	0.008	225	2	225	2

<sup>1</sup> Aleutian Islands Pacific ocean perch, and BSAI Atka mackerel, flathead sole, rock sole, and yellowfin sole are multiplied by the remainder of the TAC after the subtraction of the CDQ reserve under § 679.20(b)(1)(ii)(C).

<sup>2</sup> The seasonal apportionment of Atka mackerel in the open access fishery is 50 percent in the A season and 50 percent in the B season. Listed AFA catcher/processors are limited to harvesting no more than zero in the Eastern Aleutian District and Bering Sea subarea, 20 percent of the annual ITAC specified for the Western Aleutian District, and 11.5 percent of the annual ITAC specified for the Central Aleutian District.

Section 679.64(a)(2) and Tables 40 and 41 of part 679 establish a formula for calculating PSC sideboard limits for listed AFA C/Ps. The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the AFA (67 FR 79692, December 30, 2002) and Amendment 80 (72 FR 52668, September 14, 2007), and in the proposed rule (77 FR 72791, December 6, 2012).

PSC species listed in Table 18 that are caught by listed AFA C/Ps participating in any groundfish fishery other than pollock will accrue against the 2014 and 2015 PSC sideboard limits for the listed AFA C/Ps. Section 679.21(e)(3)(v) authorizes NMFS to close directed fishing for groundfish other than pollock for listed AFA C/Ps once a 2014 or 2015 PSC sideboard limit listed in Table 18 is reached.

Crab or halibut PSC caught by listed AFA C/Ps while fishing for pollock will accrue against the bycatch allowances annually specified for either the midwater pollock or the pollock/Atka mackerel/"other species" fishery categories under regulations at § 679.21(e)(3)(iv).

TABLE 18—FINAL 2014 AND 2015 BSAI AFA LISTED CATCHER/PROCESSOR PROHIBITED SPECIES SIDEBOARD LIMITS

PSC species and area <sup>1</sup>	Ratio of PSC catch to total PSC	2014 and 2015 PSC available to trawl vessels after subtraction of PSQ <sup>2</sup>	2014 and 2015 catcher/processor sideboard limit <sup>2</sup>
Halibut mortality BSAI	n/a	n/a	286
Red king crab zone 1	0.007	86,621	606
<i>C. opilio</i> (COBLZ)	0.153	9,989,002	1,528,317
<i>C. bairdi</i> Zone 1	0.14	875,140	122,520
<i>C. bairdi</i> Zone 2	0.05	2,652,210	132,611

<sup>1</sup> Refer to § 679.2 for definitions of areas.

<sup>2</sup> Halibut amounts are in metric tons of halibut mortality. Crab amounts are in numbers of animals.

## AFA Catcher Vessel Sideboard Limits

Pursuant to § 679.64(a), the Regional Administrator is responsible for restricting the ability of AFA CVs to engage in directed fishing for groundfish species other than pollock to protect participants in other groundfish fisheries from adverse effects resulting from the AFA and from fishery cooperatives in the pollock directed fishery. Section 679.64(b) establishes a formula for setting AFA CV groundfish and PSC sideboard limits for the BSAI. The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the AFA (67 FR 79692, December 30, 2002) and Amendment 80 (72 FR 52668, September 14, 2007). Tables 19 and 20 list the 2014 and 2015 AFA CV sideboard limits.

All catch of groundfish sideboard species made by non-exempt AFA CVs, whether as targeted catch or incidental catch, will be deducted from the 2014 and 2015 sideboard limits listed in Table 19.



TABLE 19—FINAL 2014 AND 2015 AMERICAN FISHERIES ACT CATCHER VESSEL BSAI GROUND FISH  
SIDEBOARD LIMITS

[Amounts are in metric tons]

Species/gear	Fishery by area/season	Ratio of 1995- 1997 AFA CV catch to 1995- 1997 TAC	2014 initial TAC <sup>1</sup>	2014 AFA catcher vessel sideboard limits	2015 initial TAC <sup>1</sup>	2015 AFA catcher vessel sideboard limits
Pacific cod/Jig gear	BSAI	0	n/a	0	n/a	0
Pacific cod/Hook-and- line CV ≥ 60 feet LOA	BSAI Jan 1 - Jun 10	0.0006	206	0	209	0
	BSAI Jun 10 - Dec 31	0.0006	198	0	201	0
Pacific cod pot gear CV ≥ 60 feet LOA	BSAI Jan 1 - Jun 10	0.0006	8,638	5	8,786	5
	BSAI Sept 1 - Dec 31	0.0006	8,300	5	8,441	5
Pacific cod CV < 60 feet LOA using hook- and-line or pot gear	BSAI	0.0006	4,033	2	4,102	2
Pacific cod trawl gear CV	BSAI Jan 20 - Apr 1	0.8609	37,079	31,921	37,708	32,463
	BSAI Apr 1 - Jun 10	0.8609	5,512	4,745	5,605	4,825
	BSAI Jun 10 - Nov 1	0.8609	7,516	6,471	7,643	6,580
Sablefish trawl gear	BS	0.0906	569	52	514	47
	AI	0.0645	385	25	348	22
Atka mackerel	Eastern AI/BS Jan 1 - Jun 10	0.0032	9,668	31	9,720	31
	Eastern AI/BS Jun 10 - Nov 1	0.0032	9,668	31	9,720	31
	Central AI Jan 1 - Jun 10	0.0001	4,318	0	4,341	0
	Central AI Jun 10 - Nov 1	0.0001	4,318	0	4,341	0
	Western AI Jan 1 - Jun 10	0	447	0	447	0
	Western AI Jun 10 - Nov 1	0	447	0	447	0
Rock sole	BSAI	0.0341	75,905	2,588	75,905	2,588
Greenland turbot	BS	0.0645	1,410	91	2,106	136
	AI	0.0205	395	8	591	12
Arrowtooth flounder	BSAI	0.069	21,250	1,466	21,250	1,466
Kamchatka flounder	BSAI	0.069	6,035	416	6,205	428
Alaska plaice	BSAI	0.0441	20,825	918	21,250	937
Other flatfish	BSAI	0.0441	2,253	99	2,550	112
Flathead sole	BS	0.0505	21,879	1,105	22,440	1,133
Pacific ocean perch	BS	0.1	6,531	653	6,239	624
	Eastern AI	0.0077	8,257	64	7,888	61
	Central AI	0.0025	5,888	15	5,625	14
	Western AI	0	8,571	0	8,188	0
Northern rockfish	BSAI	0.0084	2,205	19	2,550	21
Shortraker rockfish	BSAI	0.0037	370	1	370	1
Rougheye rockfish	EBS/EAI	0.0037	177	1	201	1
	CAI/WAI	0.0037	239	1	277	1
Other rockfish	BS	0.0048	300	1	400	2
	AI	0.0095	473	4	473	4
Skates	BSAI	0.0541	22,100	1,196	22,100	1,196
Sculpins	BSAI	0.0541	4,888	264	4,888	264
Sharks	BSAI	0.0541	125	7	125	7
Squids	BSAI	0.3827	264	101	276	106
Octopuses	BSAI	0.0541	225	12	225	12

<sup>1</sup> Aleutians Islands Pacific ocean perch, and BSAI Atka mackerel, flathead sole, and rock sole are multiplied by the remainder of the TAC of that species after the subtraction of the CDQ reserve under § 679.20(b)(1)(ii)(C).

Halibut and crab PSC limits listed in Table 20 that are caught by AFA CVs participating in any groundfish fishery for groundfish other than pollock will accrue against the 2014 and 2015 PSC sideboard limits for the AFA CVs. Sections 679.21(d)(8) and 679.21(e)(3)(v) authorize NMFS to close directed fishing for groundfish other than pollock for AFA CVs once a 2014 or 2015 PSC sideboard limit listed in Table 20 is reached. The PSC that is caught by AFA CVs while fishing for pollock in the BSAI will accrue against the bycatch allowances annually specified for either the midwater pollock or the pollock/Atka mackerel/“other species” fishery categories under regulations at § 679.21(e)(3)(iv).

TABLE 20—FINAL 2014 AND 2015 AMERICAN FISHERIES ACT CATCHER VESSEL PROHIBITED SPECIES CATCH SIDEBOARD LIMITS FOR THE BSAI<sup>1</sup>

PSC species and area <sup>1</sup>	Target fishery category <sup>2</sup>	AFA catcher vessel PSC sideboard limit ratio	2014 and 2015 PSC limit after subtraction of PSQ reserves <sup>3</sup>	2014 and 2015 AFA catcher vessel PSC sideboard limit <sup>3</sup>
Halibut	Pacific cod trawl	n/a	n/a	887
	Pacific cod hook-and-line or pot	n/a	n/a	2
	Yellowfin sole total	n/a	n/a	101
	Rock sole/flathead sole/other flatfish <sup>4</sup>	n/a	n/a	228
	Greenland turbot/arrowtooth/sablefish <sup>5</sup>	n/a	n/a	0
	Rockfish	n/a	n/a	2
	Pollock/Atka mackerel/other species <sup>6</sup>	n/a	n/a	5
Red king crab Zone 1	n/a	0.299	86,621	25,900
<i>C. opilio</i> COBLZ	n/a	0.168	9,989,002	1,678,152
<i>C. bairdi</i> Zone 1	n/a	0.33	875,140	288,796
<i>C. bairdi</i> Zone 2	n/a	0.186	2,652,210	493,311

<sup>1</sup> Refer to § 679.2 for definitions of areas.

<sup>2</sup> Target fishery categories are defined in regulation at § 679.21(e)(3)(iv).

<sup>3</sup> Halibut amounts are in metric tons of halibut mortality. Crab amounts are in numbers of animals.

<sup>4</sup> “Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.

<sup>5</sup> Arrowtooth for PSC monitoring includes Kamchatka flounder.

<sup>6</sup> “Other species” for PSC monitoring includes skates, sculpins, sharks, squids, and octopuses.

## AFA Catcher/Processor and Catcher Vessel Sideboard Directed Fishing Closures

Based on historical catch patterns, the Regional Administrator has determined that many of the AFA C/P and CV sideboard limits listed in Tables 21 and 22 are necessary as incidental catch to support other anticipated groundfish fisheries for the 2014 and 2015 fishing years. In accordance with § 679.20(d)(1)(iv), the Regional Administrator establishes the sideboard limits listed in Tables 21 and 22 as DFAs. Because many of these DFAs will be reached before the end of 2014, the Regional Administrator has determined, in accordance with § 679.20(d)(1)(iii), that NMFS is prohibiting directed fishing by listed AFA C/Ps for the species in the specified areas set out in Table 21, and directed fishing by non-exempt AFA CVs for the species in the specified areas set out in Table 22.

TABLE 21—FINAL 2014 AND 2015 AMERICAN FISHERIES ACT LISTED  
CATCHER/PROCESSOR SIDEBOARD DIRECTED FISHING CLOSURES<sup>1</sup>

[Amounts are in metric tons]

Species	Area	Gear types	2014 sideboard limit	2015 sideboard limit
Sablefish trawl	BS	trawl	9	8
	AI	trawl	0	0
Rock sole	BSAI	all	2,808	2,808
Greenland turbot	BS	all	10	15
	AI	all	2	3
Arrowtooth flounder	BSAI	all	43	43
Kamchatka flounder	BSAI	all	12	12
Alaska plaice	BSAI	all	21	21
Other flatfish <sup>2</sup>	BSAI	all	131	148
Flathead sole	BSAI	all	788	808
Pacific ocean perch	BS	all	13	12
	Eastern AI	all	165	158
	Central AI	all	6	6
	Western AI	all	34	33
Northern rockfish	BSAI	all	15	18
Shortraker rockfish	BSAI	all	7	7
Rougheye rockfish	EBS/EAI	all	3	3
	CAI/WAI	all	4	5
Other rockfish <sup>3</sup>	BS	all	9	12
	AI	all	13	13
Skates	BSAI	all	177	177
Sculpins	BSAI	all	39	39
Sharks	BSAI	all	1	1
Squids	BSAI	all	6	6
Octopuses	BSAI	all	2	2

<sup>1</sup>Maximum retainable amounts may be found in Table 11 to 50 CFR part 679.

<sup>2</sup>“Other flatfish” includes all flatfish species, except for halibut, Alaska plaice, flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.

<sup>3</sup>“Other rockfish” includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern rockfish, dark rockfish, shortraker rockfish, and rougheye rockfish.

TABLE 22—FINAL 2014 AND 2015 AMERICAN FISHERIES ACT CATCHER VESSEL SIDEBOARD DIRECTED FISHING CLOSURES<sup>1</sup>

[Amounts are in metric tons]

Species	Area	Gear types	2014 sideboard limit	2015 sideboard limit
Pacific cod	BSAI	hook-and-line CV $\geq$ 60 feet LOA	0	0
	BSAI	pot CV $\geq$ 60 feet LOA	10	10
	BSAI	hook-and-line or pot CV < 60 feet LOA	2	2
	BSAI	jig	0	0
Sablefish	BS	trawl	52	47
	AI	trawl	25	22
Atka mackerel	Eastern AI/BS	all	62	62
	Central AI	all	0	0
	Western AI	all	0	0
Greenland turbot	BS	all	91	136
	AI	all	8	12
Arrowtooth flounder	BSAI	all	1,466	1,466
Kamchatka flounder	BSAI	all	416	428
Alaska plaice	BSAI	all	918	937
Other flatfish <sup>2</sup>	BSAI	all	99	112
Flathead sole	BSAI	all	1,105	1,133
Rock sole	BSAI	all	2,588	2,588
Pacific ocean perch	BS	all	653	624
	Eastern AI	all	64	61
	Central AI	all	15	14
	Western AI	all	0	0
Northern rockfish	BSAI	all	19	21
Shortraker rockfish	BSAI	all	1	1
Rougheye rockfish	BS/EAI	all	1	1
	CAI/WAI	all	1	1
Other rockfish <sup>3</sup>	BS	all	1	2
	AI	all	4	4
Skates	BSAI	all	1,196	1,196
Sculpins	BSAI	all	264	264
Sharks	BSAI	all	7	7
Squids	BSAI	all	101	106
Octopuses	BSAI	all	12	12

<sup>1</sup>Maximum retainable amounts may be found in Table 11 to 50 CFR part 679.

<sup>2</sup>“Other flatfish” includes all flatfish species, except for halibut, Alaska plaice, flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.

<sup>3</sup>“Other rockfish” includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern rockfish, dark rockfish, shortraker rockfish, and rougheye rockfish.

## Response to Comments

NMFS received one letter with one comment.

Comment: The harvest of all groundfish quotas in the BSAI should be cut by 50 percent.

Response: Pursuant to National Standard One of the Magnuson-Stevens Act, NMFS must achieve, on a continuing basis, the optimum yield from each fishery for the U.S. fishing industry. The optimum yield for the BSAI groundfish fisheries ranges from 1.4 million mt to two million mt. Based on the best available science, the Council determined that the optimum yield for 2014 and 2015 is two million metric tons, and recommended TACs to achieve this optimum yield. NMFS agrees with this recommendation. Reducing the harvest of all groundfish by 50 percent would not achieve optimum yield for the BSAI groundfish fisheries, and would not comply with National Standard One.

## Classification

NMFS has determined that these final harvest specifications are consistent with the FMP and with the Magnuson-Stevens Act and other applicable laws.

This action is authorized under 50 CFR 679.20 and is exempt from review under Executive Orders 12866 and 13563.

NMFS prepared an EIS that covers this action (see ADDRESSES) and made it available to the public on January 12, 2007 (72 FR 1512). On February 13, 2007, NMFS issued the Record of Decision (ROD) for the EIS. In January 2014, NMFS prepared a Supplemental Information Report (SIR) for this action. Copies of the EIS, ROD, and SIR for this action are available from NMFS (see ADDRESSES). The EIS analyzes the environmental consequences of the groundfish harvest specifications and alternative harvest strategies on resources in the action area. The EIS found no significant environmental consequences of this action and its

alternatives. The SIR evaluates the need to prepare a Supplemental EIS (SEIS) for the 2014 and 2015 groundfish harvest specifications.

An SEIS should be prepared if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns; or (2) significant new circumstances or information exist relevant to environmental concerns and bearing on the proposed action or its impacts (40 CFR 1502.9(c)(1)). After reviewing the information contained in the SIR and SAFE reports, the Regional Administrator has determined that (1) approval of the 2014 and 2015 harvest specifications, which were set according to the preferred harvest strategy in the EIS, do not constitute a change in the action; and (2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the action or its impacts. Additionally, the 2014 and 2015 harvest specifications will result in environmental impacts within the scope of those analyzed and disclosed in the EIS. Therefore, supplemental National Environmental Policy Act documentation is not necessary to implement the 2014 and 2015 harvest specifications.

Pursuant to section 604 of the Regulatory Flexibility Act (RFA), 5 U.S.C. 601, et seq., a FRFA was prepared for this action. The FRFA incorporates the Initial Regulatory Flexibility Analysis (IRFA), and includes a summary of the significant issues raised by public comments in response to the IRFA, as well as NMFS' responses to those comments. A summary of the analyses completed to support the action is also included in the FRFA.

A copy of the FRFA prepared for this final rule is available from NMFS (see ADDRESSES). A description of this action, its purpose, and its legal basis are contained at the beginning of the preamble to this final rule and are not repeated here.

NMFS published the proposed rule on December 10, 2013 (78 FR 74063). The rule was



accompanied by an IRFA, which was summarized in the proposed rule. The comment period closed on January 9, 2014. No comments were received on the IRFA.

The entities directly regulated by this action are those that receive allocations of groundfish in the exclusive economic zone of the BSAI, and in parallel fisheries within State of Alaska waters, during the annual harvest specifications process. These directly regulated entities include the groundfish CVs and C/Ps active in these areas. Direct allocations of groundfish are also made to certain organizations, including the CDQ groups, AFA C/P and inshore CV sectors, Aleut Corporation, and Amendment 80 cooperatives. These entities are, therefore, also considered directly regulated.

According to the Small Business Administration, a small entity engaged in fishing activities is one that is not dominant in its field, and individually has annual revenues of \$19 million or less. In 2012, there were 428 individual catcher vessels with total gross revenues less than or equal to \$19 million. Many of these vessels are members in AFA inshore pollock cooperatives. However, vessels that participate in these cooperatives are considered to be large entities within the meaning of the RFA. After accounting for membership in these cooperatives, there are an estimated 112 small CVs remaining in the BSAI.

In 2012, 45 C/Ps grossed less than \$19 million. Some of these vessels were affiliated through ownership by the same business firm. By 2012, the vessels in this group were also affiliated through membership in two cooperatives (the Amendment 80 “Best Use” cooperative, or the Freezer Longline Conservation Cooperative (FLCC)). Applying the 2012 firm and cooperative affiliations to these vessels, NMFS estimates that these 45 vessels currently represent seven small entities.

Through the CDQ program, the Council and NMFS allocate a portion of the BSAI groundfish TACs, and halibut and crab PSC limits, to 65 eligible Western Alaska communities. These communities work through six non-profit CDQ groups, and are required to use the proceeds from the CDQ allocations to start or support activities that will result in ongoing, regionally based, commercial fishery or related businesses. The CDQ groups receive allocations through the harvest specifications process, and are directly regulated by this action, but the 65 communities are not directly regulated. Because they are nonprofit entities that are independently owned and operated, and are not dominant in their field, the CDQ groups are considered small entities for RFA purposes.

The AFA and Amendment 80 fisheries cooperatives are directly regulated because they receive allocations of TAC through the harvest specifications process. However, the FLCC, a voluntary private cooperative that became fully effective in 2010, is not considered to be directly regulated. The FLCC manages a catch share program among its members, but it does not receive an allocation under the harvest specifications. NMFS allocates TAC to the freezer longline sector, and the cooperative members voluntarily allocate this TAC among themselves via the FLCC. The AFA and Amendment 80 cooperatives are large entities, since they are affiliated with firms with joint revenues of more than \$19 million.

The Aleut Corporation is an Alaska Native Corporation that receives an allocation of pollock in the Aleutian Islands. The Aleut Corporation is a holding company and evaluated according to the Small Business Administration criteria for Office or Other Holding Companies, at 13 CFR 121.201, which uses a threshold of \$7 million gross annual receipts threshold for small entities. The Aleut Corporation revenues exceed this threshold, and the Aleut Corporation

is considered to be a large entity. This determination follows the analysis in the RFA certification for BSAI FMP.

This action does not modify recordkeeping or reporting requirements.

The significant alternatives were those considered as alternative harvest strategies when the Council selected its preferred harvest strategy (Alternative 2) in December 2006. These included the following:

- Alternative 1: Set TAC to produce fishing mortality rates,  $\underline{F}$ , that are equal to  $\underline{\text{maxFABC}}$ , unless the sum of the TAC is constrained by the OY established in the FMPs. This is equivalent to setting TAC to produce harvest levels equal to the maximum permissible ABC, as constrained by OY. The term “ $\underline{\text{maxFABC}}$ ” refers to the maximum permissible value of  $\underline{\text{FABC}}$  under Amendment 56 to the groundfish FMPs. Historically, the TAC has been set at or below the ABC; therefore, this alternative represents a likely upper limit for setting the TAC within the OY and ABC limits.

- Alternative 3: For species in Tiers 1, 2, and 3, set TAC to produce  $\underline{F}$  equal to the most recent 5-year average actual  $\underline{F}$ . For species in Tiers 4, 5, and 6, set TAC equal to the most recent 5-year average actual catch. For stocks with a high level of scientific information, TAC would be set to produce harvest levels equal to the most recent 5-year average actual fishing mortality rates. For stocks with insufficient scientific information, TAC would be set equal to the most recent 5-year average actual catch. This alternative recognizes that for some stocks, catches may fall well below ABC, and recent average  $\underline{F}$  may provide a better indicator of actual  $\underline{F}$  than  $\underline{\text{FABC}}$  does.

- Alternative 4: (1) Set TAC for rockfish species in Tier 3 at  $\underline{F}75\%$ . Set TAC for rockfish species in Tier 5 at  $\underline{F}=0.5M$ . Set spatially explicit TAC for shorttraker and rougheye rockfish in

the BSAI. (2) Taking the rockfish TAC as calculated above, reduce all other TAC by a proportion that does not vary across species, so that the sum of all TAC, including rockfish TAC, is equal to the lower bound of the area OY (1,400,000 mt in the BSAI). This alternative sets conservative and spatially explicit TAC for rockfish species that are long-lived and late to mature, and sets conservative TAC for the other groundfish species.

- Alternative 5: Set TAC at zero.

Alternative 2 is the preferred alternative chosen by the Council:

Set TAC that fall within the range of ABC recommended through the Council harvest specifications process and TACs recommended by the Council. Under this scenario,  $F$  is set equal to a constant fraction of  $\max F_{ABC}$ . The recommended fractions of  $\max F_{ABC}$  may vary among species or stocks, based on other considerations unique to each. This is the method for determining TAC that has been used in the past.

Alternatives 1, 3, 4, and 5 do not meet the objectives of this action, although they have a smaller adverse economic impact on small entities than the preferred alternative. The Council rejected these alternatives as harvest strategies in 2006, and the Secretary of Commerce did so in 2007. Alternative 1 would lead to TAC limits whose sum exceeds the fishery OY, which is set out in statute and the FMP. As shown in Table 1, the sum of ABCs in 2014 and 2015 would be 2,572,819 and 2,472,832 million mt, respectively. Both of these are substantially in excess of the fishery OY for the BSAI. This result would be inconsistent with the objectives of this action, in that it would violate the Consolidated Appropriations Act of 2004, Pub. L. No. 108-199, Sec. 803(c), and the FMP for the BSAI groundfish fishery, which both set a 2 million mt maximum harvest for BSAI groundfish.

Alternative 3 selects harvest rates based on the most recent 5 years' worth of harvest rates

(for species in Tiers 1 through 3) or for the most recent 5 years' worth of harvests (for species in Tiers 4 through 6). This alternative is also inconsistent with the objectives of this action, because it does not take into account the most recent biological information for this fishery.

Alternative 4 would lead to significantly lower harvests of all species to reduce TAC from the upper end of the OY range in the BSAI, to its lower end. This result would lead to significant reductions in harvests of species by small entities. While reductions of this size could be associated with offsetting price increases, the size of these increases is very uncertain, and NMFS has no confidence that they would be sufficient to offset the volume decreases and leave revenues unchanged. Thus, this action would have an adverse economic impact on small entities, compared to the preferred alternative.

Alternative 5, which sets all harvests equal to zero, may also address conservation issues, but would have a significant adverse economic impact on small entities.

Impacts on marine mammals resulting from fishing activities conducted under this rule are discussed in the EIS (see ADDRESSES).

In December 2013, the Council adopted separate Pacific cod harvest specifications for the Aleutian Islands and the Bering Sea in the 2014 and 2015 fishing years. The intent is that this will be a permanent split in the harvest specifications for Pacific cod. While separate OFLs, ABCs, and TACs, have been created for the Aleutian Islands and for the Bering Sea, the actual sector allocations (except CDQ allocations) remain BSAI-wide allocations. Sector allocations are calculated as a percent of the summed Aleutian Island and Bering Sea TACs, after adjustments are made to account for CDQ allocations. Because sector allocations (except CDQ allocations) continue to be defined BSAI-wide, sectors remain free to redeploy between the two areas. However, if the non-CDQ portion of the TAC in either sub-area is reached NMFS will

close directed fishing for Pacific cod in that subarea. Thus if the resources in one of the areas is fully utilized, one sector will not be able to increase its harvest, unless at the expense of another sector's harvest.

It is possible that in some years that an Aleutian Island-specific Pacific cod TAC, in combination with a deduction from the ABC for a GHL fishery, and a deduction for an ICA, may leave the Aleutian Islands TAC too small to permit a directed fishery. The ultimate impact of the Pacific cod split will depend on policy decisions made by the Council and the Secretary. In the 10 years since the first year of the baseline period for this analysis (2004), the BSAI Pacific cod TAC was only set equal to the ABC in two years. There may be flexibility for the Council to offset anticipated Aleutian Island production limits by setting the Aleutian Islands TAC less than the ABC, and the Bering Sea TAC equal to the ABC. The 2 million metric ton groundfish optimum yield is the sum of the BSAI TACs, so a decrease in the Aleutian Islands TAC, coupled with an equal increase in the Bering sea TAC, would leave the aggregate BSAI Pacific cod TAC unchanged, and would not require reductions in TACs for other species so as to comply with the 2 million metric ton optimum yield limit.

Pursuant to 5 U.S.C. 553(d)(3), the Assistant Administrator for Fisheries, NOAA, finds good cause to waive the 30-day delay in effectiveness for this rule, because delaying this rule is contrary to the public interest. Plan Team review occurred in November 2013, and Council consideration and recommendations occurred in December 2013. Accordingly, NMFS review could not begin until after the December 2013 Council meeting, and after the public had time to comment upon the proposed action. If implemented immediately, this rule would allow these fisheries to continue fishing without the uncertainty of a potential closure, because the new TAC limits are higher than the ones under which they are currently fishing. If this rule's effectiveness

is delayed, fisheries that might otherwise remain open under these rules may prematurely close based on the lower TACs established in the final 2013 and 2014 harvest specifications (78 FR 13813, March 1, 2013). Certain fisheries, such as those for pollock and Pacific cod are intensive, fast-paced fisheries. Other fisheries, such as those for flatfish, rockfish, skates, sculpins, sharks, and octopuses, are critical as directed fisheries and as incidental catch in other fisheries. U.S. fishing vessels have demonstrated the capacity to catch the TAC allocations in these fisheries. Any delay in allocating the final TAC limits in these fisheries would cause confusion to the industry and potential economic harm through unnecessary discards. Determining which fisheries may close is impossible because these fisheries are affected by several factors that cannot be predicted in advance, including fishing effort, weather, movement of fishery stocks, and market price. Furthermore, the closure of one fishery has a cascading effect on other fisheries by freeing up fishing vessels, allowing them to move from closed fisheries to open ones, increasing the fishing capacity in those open fisheries and causing them to close at an accelerated pace.

Additionally, in fisheries subject to declining sideboards, delaying this rule's effectiveness could allow some vessels to inadvertently reach or exceed their new sideboard levels. Because sideboards are intended to protect traditional fisheries in other sectors, allowing one sector to exceed its new sideboards by delaying this rule's effectiveness would effectively reduce the available catch for sectors without sideboard limits. Moreover, the new TAC and sideboard limits protect the fisheries from being overfished. Thus, the delay is contrary to the public interest in protecting traditional fisheries and fish stocks.

If the final harvest specifications are not effective by March 8, 2014, which is the start of the 2014 Pacific halibut season as specified by the IPHC, the hook-and-line sablefish fishery will

not begin concurrently with the Pacific halibut IFQ season. Delayed effectiveness of this action would result in confusion for sablefish harvesters and economic harm from unnecessary discard of sablefish that are caught along with Pacific halibut, as both hook-and-line sablefish and Pacific halibut are managed under the same IFQ program. Immediate effectiveness of the final 2014 and 2015 harvest specifications will allow the sablefish IFQ fishery to begin concurrently with the Pacific halibut IFQ season. Also, immediate effectiveness of this action is required to provide consistent management and conservation of fishery resources based on the best available scientific information. This is particularly true of those species that have lower 2014 ABC and TAC limits than those established in the 2013 and 2014 harvest specifications (78 FR 13813, March 1, 2013). Immediate effectiveness also would give the fishing industry the earliest possible opportunity to plan and conduct its fishing operations with respect to new information about TAC limits. Therefore, NMFS finds good cause to waive the 30-day delay in effectiveness under 5 U.S.C. 553(d)(3).

#### Small Entity Compliance Guide

This final rule is a plain language guide to assist small entities in complying with this final rule as required by the Small Business Regulatory Enforcement Fairness Act of 1996. This final rule's primary purpose is to announce the final 2014 and 2015 harvest specifications and prohibited species bycatch allowances for the groundfish fisheries of the BSAI. This action is necessary to establish harvest limits and associated management measures for groundfish during the 2014 and 2015 fishing years and to accomplish the goals and objectives of the FMP. This action directly affects all fishermen who participate in the BSAI fisheries. The specific amounts of OFL, ABC, TAC, and PSC are provided in tables to assist the reader. NMFS will announce



closures of directed fishing in the Federal Register and information bulletins released by the Alaska Region. Affected fishermen should keep themselves informed of such closures.

Authority: 16 U.S.C. 773 et seq.; 16 U.S.C. 1540(f); 16 U.S.C. 1801 et seq.; 16 U.S.C. 3631 et seq.; Pub. L. 105–277; Pub. L. 106–31; Pub. L. 106–554; Pub. L. 108–199; Pub. L. 108–447; Pub. L. 109–241; Pub. L. 109–479.

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